CALIFORNIA LEGISLATURE—ASSEMBLY.

THIRTY-SECOND SESSION.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 4, 1897.

Pursuant to the Constitution, at the hour of twelve o'clock M., the Assembly of the thirty-second session of the Legislature of the State of California was called to order by S. J. Duckworth, Chief Clerk of the Assembly.

The Chief Clerk appointed Rev. Josiah Sims, of Nevada County, as Chaplain, vice Rev. O. Summers, deceased.

PRAYER.

Prayer was offered by Rev. Josiah Sims.

RESOLUTION.

By Mr. North, of Alameda:

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

The previous question was moved by Mr. Dibble, of San Francisco, seconded by Messrs. Wright and North, of Alameda.

So ordered.

The question being on the adoption of the resolution. The same was adopted.

The credentials of members were then presented to the Chief Clerk.

Mr. Cutter, of Yuba, moved that the roll be called by districts—ten at a time.

So ordered.

The roll was called, and the following members-elect presented themselves and were duly qualified by taking the following oath of office, administered by Hon. Matt. F. Johnson, Judge of the Superior Court of the County of Sacramento:

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-second session of the California Legislature to the best of my ability. So help me God.

First District—Del Norte and Siskiyou: W. Strain.
Second District—Humboldt: A. W. Hill.
Third District—Humboldt: E. D. Damon.
Fourth District—Trinity and Tehama: Frank Houghton.

Fifth District—Modoc and Shasta: T. W. H. Shanahan.
Sixth District—Lassen, Plumas, and Sierra: F. D Soward.
Seventh District—Butte: F. R. Stansell.
Eighth District—Sutter and Yuba: W. M. Cutter.
Ninth District—Mendocino: J. B. Sanford
Tenth District—Colusa, Glenn, and Lake: E. A. Bridgford.
Eleventh District—Yolo: A. W. North.
Twelfth District—Nevada: W. S Robinson.
Thirteenth District—Placer: H. T. Power.
Fourteenth District—El Dorado: G. H. Burnham.
Fifteenth District—Amador: A. Caminetti.
Sixteenth District—Sonoma: W. F. Price.
Seventeenth District—Sonoma: John W. Keegan.
Eighteenth District—Napa: F. L. Coombs.
Nineteenth District—Solano: Alden Anderson.
Twentieth District—Sacramento: W. M. Sims.
Twenty-first District—Sacramento: Scott F. Ennis.
Twenty-second District—Sacramento L. M. Landsborough.
Twenty-third District—Marin: M Canavan.
Twenty-fourth District—Contra Costa: C. M. Belshaw.
Twenty-fifth District—San Joaquin: A. L. Foreman.
Twenty-sixth District—San Joaquin: Chas W. Austin.
Twenty-seventh District—Calaveras: C. D. Fontana.
Twenty-eighth District—San Francisco: E. F. Lacy.
Twenty-ninth District—San Francisco: John Allen.
Thirtieth District—San Francisco: H. M. Kelly
Thirty-first District—San Francisco: T. E. Treacy.
Thirty-second District—San Francisco· John W. Power.
Thirty-third District—San Francisco: George B Godfrey.
Thirty-fourth District—San Francisco· Frank Mahoney.
Thirty-fifth District—San Francisco· Lawrence J. Dolan.
Thirty-sixth District—San Francisco: Henry McGrath.
Thirty-seventh District—San Francisco; Harry I. Mulcrevy.
Thirty-eighth District—San Francisco: Gustave Pohlman
Thirty-ninth District—San Francisco: Leon E. Jones.
Fortieth District—San Francisco: S. M. Bettman.
Forty-first District—San Francisco: Henry C. Dibble.
Forty-second District—San Francisco: Lorenzo A. Henry.
Forty-third District—San Francisco: Leon Dennery.
Forty-fourth District—San Francisco: Edward S. Ryan.
Forty-fifth District—San Francisco: Wm. H. Gately.
Forty-sixth District—Alameda: J. W. Clarke.
Forty-seventh District—Alameda: J. A. Waymire.
Forty-eighth District—Alameda: F. W. Leavitt.
Forty-ninth District—Alameda: Oscar F. Breiling.
Fiftieth District—Alameda: H. H. North.
Fifty-first District—Alameda: H. E. Wright.
Fifty-second District—San Mateo: S. G Goodhue.
Fifty-third District—Santa Cruz: Frank Aldridge.
Fifty-fourth District—Santa Clara: N. E. Malcolm.
Fifty-fifth District—Santa Clara: J. J. McLaurin.
Fifty-sixth District—Santa Clara: M. E Arnerich.
Fifty-seventh District—Merced: John G. Elliott.
Fifty-eighth District—Tuolumne and Mariposa: T. G. McCandlish.
Fifty-ninth District—San Benito: C. F. Rubell.
Sixtieth District—Alpine, Inyo, and Mono: Thos. A. Keables.
Sixty-first District—Monterey: W. G. Hudson.
Sixty-second District—Fresno: Geo. W. Cartwright.
Sixty-third District—Fresno and Madera: L. W. Moultrie.
Sixty-fourth District—Tulare and Kings: J. M. McClellan.
Sixty-fifth District—Tulare: W. P. Boone.
Sixty-sixth District—Kern: E. J. Emmons.
Sixty-seventh District—San Luis Obispo: J. K. Burnett.
Sixty-eighth District—Santa Barbara: L. Harris.
Sixty-ninth District—Ventura: Thos. O. Toland.
Seventieth District—Los Angeles: W. S. Melick.
Seventy-first District—Los Angeles: J. O. Vosburg.
Seventy-second District—Los Angeles; Brewster C. Kenyon.
Seventy-third District—Los Angeles: Wm Mead.
Seventy-fourth District—Los Angeles: L. H Valentine.
Seventy-fifth District—Los Angeles: John Cross.
Seventy-sixth District—Orange: H. W. Chynoweth.
Seventy-seventh District—Riverside: F. T. Lindenberger.
Seventy-eighth District—San Bernardino: T. H. Goff.
Seventy-ninth District—San Diego: W. R Guy.
Eightieth District—San Diego: J. L. Dryden

CLERKS.

Chief Clerk S. J. Duckworth, Minute Clerk R. Q. Wickham, and Sergeant-at-Arms Geo. A. Parkinson 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:

Assistant Clerks—Andrew Branch, John Varcoe, J. Brooks, G Towle, Calvin Ewing, Ed J. Smith, George North, Wm. V. McLean, C. W. Kyle, J. L. Martin, M. A. Kearney.
Assistant Sergeants-at-Arms—Wm. Lamphrey, Edward Allen, G. W. Lewis, A. M. Austin, H. J Jackson, James Devitt.
Clerk to Sergeant-at-Arms—J. Hocking.
Assistant Minute Clerks—R. Nixon, Jr., F. C. Smythe, James Bowen, R. M. Richardson, F. H. Lombard, C. H. Rodriguez.
Journal Clerk—A. L Fisher.
Assistant Journal Clerks—E. S. Gridley, A. S. Vischer, J. M. Oliver.
Engrossing Clerk—T. E. Atkinson.
Assistant Engrossing Clerks—Frank Barnett, David Gibson, W. S. Kingsbury, H. Hall, J. C. Collins.
Enrolling Clerk—H. A. Kidder.
Assistant Enrolling Clerks—Henry Friedman, M. Estudillo, N. G. Duckworth, W. J. Harrington, W. S Staley.
Postmistress—Miss Carrie Brown.
Assistant Postmistress—Mrs. Eva McKay.
History Clerk—Clark Alberti.
Assistant History Clerks—A Gunzendorfer, W. Levison, Miss M. Bertola.
Porters—Ed. Sweeney, H Marks, M. J. Flynn, J. Todd, L. D. Sloss, Henry Borren, I Erb, J. P Devine, James Kidney, John Wilkins, Gus Kelly, E. M. Brock, Ben D. Martin, G W. Ashley, S. F. King.
Porter to Sergeant-at-Arms—J. Kofod.
Bookkeeper to Sergeant-at-Arms—Jay Cummings.
Bill Clerks—A. A. Friedlander, Robert Burns, W. Bullock, G. E. Dixon, S. Voorsanger, Henry Schwarneke.
Janitors of Coat-Room—J. Cramer, M. Aronson, Wesley Dixon.
Chaplain—Rev. Josiah Sims.
File Clerks—Ed. Sheridan, W. J. Keating, S. H. Wilson, J. E. Gross, H. D. Pohlman, A. Campbell.
Mail Carrier—James Kane.
Janitress Ladies' Waiting-Room—Mrs. Wm. Sampson.
Doorkeepers—Samuel Adams, Thos. J. Smith, R. Blakeston, J. Massie, John Wise, Delos Curtis.
Watchmen—James Smith, W. Bolles, L. Wintringer, C. J. Parmenter, M. Gratz, Chas. Forbes, W H. Rice.
Pages—Roy Byron, Harry Varcoe, D. Bruce, Willett Hopkins, Clarence Cogle, Frank Smith, Edgar Slack, Frank Newman, A. H. Smith, W. Howard, W. C. Dorsey, C. McLean
Elevator Attendants—Wm. Lynch, R. Wolf.
Messenger to State Printer—E. B. Lindley.
Gatekeepers—R. A. White, W. S. Reyner.
Electrician—T. W. Measure.

RESOLUTION.

By Mr. Dibble:

Resolved, That a special committee of five be appointed (the Speaker to be a member) to report rules for the government of the House.
Resolved, That the rules of the last session be temporarily adopted, with the modification that bills shall not be read the first time on being introduced, and that Rule XI be modified so as to prohibit debate upon resolutions as well as bills, on motions to refer to committees.

Adopted.

ELECTION OF SPEAKER.

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

Mr. North, of Yolo, nominated Hon. Frank L. Coombs, of Napa.

Mr. Bridgford, of Colusa, nominated Hon. A. Caminetti, of Amador.

The roll was called, with the following result:

For Coombs—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, and Wright—47.

For Caminetti—Messrs. Aldridge, Allen, Boone, Bridgford, Cartwright, Coombs, Dolan, Dryden, Elliott, Emmons, Foreman, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Moultrie, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—31.

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

MOTION.

Mr. Guy moved that a committee of three be appointed to escort Mr. Coombs to the chair.

So ordered.

APPOINTMENT OF COMMITTEE.

The Chief Clerk appointed as such committee Messrs. Guy, Bridgford, and Caminetti.

OATH OF OFFICE.

Mr. Coombs 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-second session of the California Legislature to the best of my ability. So help me God.

SPEAKER COOMBS IN THE CHAIR.

Speaker Coombs, in taking the chair, spoke as follows:

Fellow Members of the Thirty-second Session of the California Assembly:

I am deeply grateful for the confidence implied in this election, and I thank you for the honor conferred. While I appreciate the importance and responsibilities of the office of Speaker, yet I assure you that I enter upon the discharge of its duties for the second time without an ambition personal to myself. I desire to contribute my part toward such common endeavor as may achieve for this Legislature the distinction of being in theory and in fact a coordinate branch of the government of a great State intrusted with the welfare of its citizens. Without assuming authority to direct, permit me to make some suggestions with reference to matters in the line of public duty: An early attention to legislative business may enable you to conclude your labors within the period of sixty days. It is important that the General Appropriation Bill should be passed at least ten days prior to adjournment, in order that the tax levy may be based upon actual appropriations which have received Executive approval. Commissions and institutions have been established until government in California has become monstrous in its proportions, a fixed and permanent burden upon the people. Six years ago I had the honor of calling to the attention of the Assembly the various commissions in this State, advocating the abolishment of some and the consolidation of others. A special committee was appointed for that purpose; its object failed. With far more reason I again suggest the plan, and charge you with the responsibility, in this early hour of our deliberations. Every appropriation should be measured by the rule of public necessity; system should characterize the detail of public expenditures; the general welfare should be a charge upon the judgment, honor, and ability of every member. Local desires should yield to considerations of public policy. I say this with reference to the thousand little things common to the wants of individuals, which, if gratified, create extra burdens upon the taxpayer. There never was a time in history when the economical rules of private life could more appropriately be invoked in public affairs. It is a time when individual effort will be approved if it merits approval, or condemned if it deserves condemnation. I shall endeavor, with what assistance my judgment affords, to abide by these suggestions myself, with the hope and confidence that, with your cooperation, they will find their reward in reform.

Again reminding you of your positions, fraught with public cares as they are, I thank you for the honor you have conferred upon me.

ELECTION OF SPEAKER PRO TEM.

Nominations for Speaker pro tem. were declared in order.

Mr. Valentine, of Los Angeles, nominated Brewster C. Kenyon, of Los Angeles.

Mr. Sanford, of Mendocino, nominated J. K. Burnett, of San Luis Obispo.

The roll was called, with the following result:

For Kenyon—Messrs Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnett, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Guy, Harris, Henry, Hill, Hudson, Jones, Kelly, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—44.

For Burnett—Messrs. Aldridge, Boone, Bridgford, Caminetti, Cartwright, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Goodhue. Houghton, Keegan, Kenyon, Lacy, Landsborough, Mahoney, Mead, Moultrie, Mulcrevy, McCandlish, McClellan, McGrath. McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—33.

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

MOTION.

Mr. Wright moved that a committee of three be appointed to escort Mr. Kenyon to the desk, to take the oath of office.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Wright, Burnett, and Sanford 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:

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 Speaker pro tem. of the Assembly, thirty-second session of the California Legislature, to the best of my ability. So help me God.

ELECTION OF CHIEF CLERK.

Nominations for Chief Clerk were declared in order.

Mr. North, of Alameda, nominated Hon. S. J. Duckworth, of Monterey.

Mr. Treacy, of San Francisco, nominated W. J. Gavigan, of San Francisco.

The roll was called, with the following result:

For Duckworth—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Sims, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr Speaker—46

For Gavigan—Messrs Allen, Boone, Bridgford, Burnett, Caminetti, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Moultrie, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—31.

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. Dennery, of San Francisco, nominated W. O. Banks, of San Francisco.

Mr. Burnett, of San Luis Obispo, nominated J. B. Stanton.

The roll was called, with the following result:

For Banks—Messrs. Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—45.

For Stanton—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Moultrie, Mulcrevy, McCandlish, McGrath, McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—32.

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

RECESS.

At two o'clock and ten minutes P. M., on motion of Mr. North, of Alameda, the Assembly took a recess until four o'clock P. M.

REASSEMBLED.

The Assembly reassembled at four o'clock and twenty minutes P. M. Speaker Coombs in the chair.

ELECTION OF ASSISTANT CLERK.

Mr. Malcolm, of Santa Clara, nominated W. G. Hawkett, of Alameda.

Mr. Burnett, of San Luis Obispo, nominated A. F. Roberts.

The roll was called, with the following result:

For Hawkett—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—45.

For Roberts—Messrs. Aldridge, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Moultrie, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, Toland, and Treacy—30.

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

Mr. Belshaw in the chair.

ELECTION OF ASSISTANT CLERK.

Mr. Malcolm placed in nomination Clark Alberti, of San Diego.

Mr. Sanford placed in nomination William Flynn.

Mr. Soward moved that the nominations close.

So ordered.

The roll was called, with the following result:

For Alberti—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly,

Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, and Wright—46.

For Flynn—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Elliott, Foreman, Gately, Godfrey, Houghton, Keegan, Landsborough, Mahoney, Mead, Moultrie, McCandlish, McClellan, McGrath, McLaurin, Rubell, Ryan, Sanford, Toland, and Treacy—27.

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

Speaker Coombs in the chair.

ELECTION OF ASSISTANT SERGEANT-AT-ARMS.

Mr. Malcolm placed W. N. Lamphrey in nomination.

Mr. Sanford placed H. W. Bradley in nomination.

The roll was called, with the following result:

For Lamphrey—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Kelly, Kenyon, Lindenberger, Malcolm, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Soward, Stansell, Strain, Valentine, Vosburg, Wright, and Mr. Speaker—41.

For Bradley—Messrs. Allen, Boone, Bridgford, Burnett, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Lacy, Landsborough, Mahoney, Mead, Moultrie, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Rubell, Ryan, Sanford, Toland, and Treacy—25.

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

ELECTION OF MINUTE CLERK.

Mr. Malcolm placed in nomination R. Q. Wickham, of Orange.

Mr. Elliott, of Merced, nominated J. D. Yoakum.

The roll was called, with the following result:

For Wickham—Messrs. Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables. Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—45.

For Yoakum—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Elliott, Foreman, Gately, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Moultrie, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Power of San Francisco, Ryan, Sanford, and Treacy—27.

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

ELECTION OF JOURNAL CLERK.

Mr. Malcolm placed in nomination E. S. Gridley, of Napa.

Mr. Boone placed in nomination Wm. Kettner, of Tulare.

The roll was called, with the following result:

For Gridley—Messrs. Anderson, Arnerich, Austin, Belshaw, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Kelly, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Price, Robinson, Soward, Stansell, Strain, Valentine, Vosburg, Wright, and Mr. Speaker—40

For Kettner—Messrs. Aldridge, Allen, Boone, Bridgford, Caminetti, Cartwright, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Houghton, Lacy, Landsborough, Mahoney, Mead, Moultrie, Mulcrevy, McGrath, McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, and Toland—26.

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

ELECTION OF ENROLLING CLERK.

Mr. Malcolm placed in nomination John Varcoe, of Santa Clara.
Mr. Sanford placed in nomination John Dunbar.
The roll was called, with the following result:

For Varcoe—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Henry, Hill, Hudson, Jones, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Soward, Stansell, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—41.

For Dunbar—Messrs. Allen, Bridgford, Burnett, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Houghton, Keables, Keegan, Lacy, Landsborough, Mahoney, Mead, Moultrie, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, and Toland—27.

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

ELECTION OF ENGROSSING CLERK.

Mr. Malcolm placed in nomination Frank Barnett.
Mr. Aldridge placed in nomination Fred May, of Santa Cruz.
The roll was called, with the following result:

For Barnett—Messrs. Anderson, Arnerich, Austin, Belshaw, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Damon, Dennery, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—43

For May—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Houghton, Lacy, Landsborough, Mahoney, Mead, Moultrie, McCandlish, McClellan, McGrath, McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, Toland, and Treacy—29.

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

ELECTION OF POSTMISTRESS.

Mr. Malcolm placed in nomination Miss Lizzie M. Baxter.
Mr. Elliott, of Merced, placed in nomination Miss E. A. Emerson.
The roll was called, with the following result:

For Miss Lizzie M. Baxter—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—45.

For Miss E. A. Emerson—Messrs Aldridge, Boone, Bridgford, Burnett, Dolan, Dryden, Elliott, Foreman, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Moultrie, McCandlish, McGrath, Power of San Francisco, Rubell, Ryan, Sanford, and Toland—23.

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

ELECTION OF ASSISTANT POSTMISTRESS.

Mr. Malcolm placed in nomination Miss N. Patton.
Mr. Burnett placed in nomination Miss Evelyn Reeves.
The roll was called, with the following result:

For Miss N. Patton—Messrs Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Kenyon, Leavitt,

Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, and Mr. Speaker—44.

For Miss Evelyn Reeves—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Keegan, Lacy, Landsborough, Mahoney, Moultrie, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Rubell, Ryan, and Toland—26.

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

RESOLUTION.

By Mr. Guy:

Resolved, That Charles F. Oehler be and is hereby appointed Chaplain of the Assembly, at a per diem of $5, payable out of the contingent expenses of the Assembly.

MOTION.

Mr. Price, of Sonoma, moved the adoption of the resolution.

SUBSTITUTE.

Mr. Sanford offered the following resolution as a substitute:

Resolved, That Rev. T. H. B. Anderson be appointed Chaplain of Assembly at a per diem of $5, the same to be paid out of the Contingent Fund of the Assembly.

Mr. Bridgford moved that the action regarding Chaplain be postponed until to-morrow.

Lost.

The question being upon the substitute offered by Mr. Sanford. The same was lost.

The question now recurring upon the original resolution offered by Mr. Guy. The same was adopted.

RESOLUTION.

By Mr. Guy:

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.

APPOINTMENTS BY SPEAKER.

The Speaker announced the appointment of the following attachés of the Assembly:

Porters—E. M. Brock, A. Duncan Jones, C. L. Jones, H. Shaw.
Pages—Thos. J. Donahue, Walter Benchley, W. Bullock, Claire Moore, — Tennis.
Messenger to the Speaker—L. S. Kinney.

RESOLUTIONS.

By Mr. Guy:

Resolved, That the Chief Clerk be and he is hereby instructed to notify the Senate that the Assembly organized, on this 4th day of January, 1897, by the election of the following officers.

Frank L. Coombs	Speaker.
Brewster C. Kenyon	Speaker pro tem.
S. J. Duckworth	Chief Clerk.
W. O. Banks	Sergeant-at-Arms.
W. N. Lamphrey	Assistant Sergeant-at-Arms.
W. G. Hawkett	Assistant Clerk.
Clark Alberti	Assistant Clerk.

R. Q. Wickham.....Minute Clerk.
E. S. Gridley.....Journal Clerk.
John Varcoe.....Enrolling Clerk.
Frank Barnett.....Engrossing Clerk.
Miss Lizzie M. Baxter.....Postmistress.
Miss N. Patton.....Assistant Postmistress.
Charles F. Oehler.....Chaplain.
E. M. Brock, A. Duncan Jones, C. T. Jones, H. Shaw.....Porters.
Thos. J. Donahue, Walter Benchley, W. Bullock, Claire Moore, — Tennis.....Pages.

And awaits its pleasure in legislative business.

Adopted.

By Mr. Dibble:

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

Adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee to wait upon the Governor, Messrs. Dibble, Waymire, and Bridgford.

RESOLUTIONS.

By Mr. Belshaw:

Resolved, That the Superintendent of State Printing be and he is hereby instructed to print, daily, five hundred copies each of all bills, joint and concurrent resolutions, constitutional amendments, journal, files, and history.

Adopted.

By Mr. Valentine:

Resolved, That the Secretary of State be and he is hereby directed to purchase eighty-five copies of Henning's Annotated Constitution of California for the use of the Assembly; and the State Controller is hereby directed to draw his warrant on the fund for the payment of the contingent expenses of the Assembly in payment for same, and the State Treasurer is hereby authorized to pay said warrant.

Adopted.

REPORT OF COMMITTEE.

Mr. Speaker and Gentlemen of the Assembly:

Your committee appointed to wait upon the Governor for the purpose of informing him that the Assembly is now organized and awaits any communication that he may desire to make, have the honor to report that they have discharged the duty imposed upon them; that the Governor requested your committee to inform the Assembly that, inasmuch as the Senate had adjourned for the day, he will defer the communication of his biennial message until the meeting of the Assembly to-morrow.

DIBBLE, Chairman

RESOLUTIONS.

By Mr. Lacy:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized and directed to rent a box at the general post office in Sacramento, for the reception of the mail of members, officers, and attachés of Assembly, the rental of said box to be paid out of the appropriation for the contingent expenses of the Assembly.

Adopted.

By Mr. Price:

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 copies of the Codes of California, and that one copy be furnished each member of the Assembly.

Adopted.

ASSEMBLY JOINT RESOLUTION No. 1.

By Mr. Belshaw:

WHEREAS, There is now pending in Congress a bill, known as the Powers bill, which has for its object the refunding of the debts of certain Government-aided railroads; and

WHEREAS, Any scheme of refunding the Pacific Railroads' indebtedness to the Government must result in maintaining an excessive capitalization of these roads, thus requiring high rates of fares and freights to meet the interest payments thereon, to the great burden and disadvantages of the people of the State of California; and

WHEREAS, A sale of these roads on foreclosure to any corporation or private person must result in the loss of most of said Government indebtedness, besides perpetuating the evils of private ownership and management; therefore,

Resolved by the Assembly of the State of California, the Senate concurring, That our Senators be instructed and our Representatives be requested to oppose the refunding of said indebtedness in any form, and in lieu thereof to favor legislation providing for the foreclosure and sale of said roads, upon condition that the Government shall bid in said roads and operate them as a national enterprise in the interest and for the benefit of the whole people, and especially of California (who have contributed more to the support of said roads than the people of any other section), the results of which will much sooner reimburse the Government for the advances made by it in aid of these roads than by any other method; and be it further

Resolved, That the Governor be requested to immediately transmit, by telegraph, a copy of these resolutions to our congressional delegation at Washington.

ASSEMBLY JOINT RESOLUTION No. 2.

By Mr. Caminetti:

WHEREAS, There is now pending before the Congress of the United States a measure known as the "Powers-Gear Funding Bill," which has for its object the extension of payment of the debts of the Pacific Railroads to the Government of the United States; and,

WHEREAS, Said railroads received from the Government of the United States, through the issuance of bonds and grants of land, 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 inequitable rate of fares and freights, and afford said railroads an opportunity to further evade their contracts with the Government; be it therefore

Resolved by the Assembly of the State of California, the Senate concurring, That we are unalterably opposed to any and all extensions of payment of said debts, and to the so-called "Power-Gear Funding Bill," and any other bill of like import, and that we hereby request our Senators and instruct our Representatives in Congress to use all honorable means to defeat said funding bill, or any similar measure; and be it further

Resolved, That we favor the immediate collection, on maturity, of said debts from said railroads, and in the event said debts cannot be collected then we urge and favor the enforcement of existing laws of the United States concerning the said Pacific Railroads; and be it further

Resolved, That a committee of nine members, to be selected as follows: three members of the Senate, by the Senate, three members of the Assembly, by the Assembly, and three citizens at large, by the Governor, be appointed to immediately proceed to Washington, D. C., and request a hearing in behalf of the State of California before the respective committees of Congress having the subject in charge, present these resolutions, and otherwise to aid, by all honorable means, the effort to defeat said bill and any similar measure; and be it further

Resolved, That the Governor be and he is hereby requested to transmit, by telegraph, a copy of these resolutions to each of our Senators and Representatives in Congress, to the President of the United States, and to the Senate and House of Representatives of the United States.

Mr. Caminetti offered Assembly Joint Resolution No. 2 as a substitute for Assembly Joint Resolution No. 1.

Mr. Belshaw moved that Assembly Joint Resolutions Nos. 1 and 2 be referred to a committee of five.

Mr. Caminetti moved to amend by instructing said committee to report on to-morrow.

Motion as amended carried.

APPOINTMENT OF COMMITTEE.

The Speaker announced the appointment of the following committee on Assembly Joint Resolutions Nos. 1 and 2: Messrs. Belshaw, Wright, Robinson, Caminetti, and Mead.

MOTIONS.

Mr. Dibble moved that the rules be suspended and the time of meeting to-morrow morning be extended until eleven o'clock.

So ordered.

At five o'clock and fifty minutes P. M., Mr. North moved that the Assembly adjourn.

APPOINTMENT OF COMMITTEE.

Pending the consideration of the motion to adjourn by Mr. North, the Speaker appointed as a Committee on Rules, Messrs. Chynoweth, Dibble, McCandlish, and McClellan, to which the Speaker was added.

ADJOURNMENT.

At five o'clock and fifty minutes P. M., the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 5, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

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

APPROVAL OF JOURNAL.

The approval of the Journal was postponed.

LEAVE OF ABSENCE.

Mr. Sims and Mr. Shanahan were granted leave of absence for the day.

REPORT OF COMMITTEE.

On request of Mr. Caminetti, the time for the report of special committee on Assembly Joint Resolutions Nos. 1 and 2 was extended.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 4, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate this day organized by the election of the following officers:

President pro tem.	Thomas Flint, Jr.
Secretary of Senate	F. J. Brandon.
Sergeant-at-Arms	Leslie F. Blackburn.
Assistant Secretaries of Senate	D. E. McKinlay and Geo. W. McIntyre.
Minute Clerk	John L. Childs.
Journal Clerk	Theodore A. Simpson.
Engrossing Clerk	C. R. Mayhew.
Enrolling Clerk	J. M. Gleaves, Jr.
Assistant Sergeant-at-Arms	M. W. Coffey.
Postmistress	Miss Edna Cowan.
Assistant Postmistress	Miss I. Erzgraber.
Porters	Andrew Walton, H. B. Brown, and A. Grubbs.
Pages	B. Androus. Frank Boek, and George Berger.

And the Senate is now ready to proceed to business.

F. J. BRANDON, Secretary of Senate.

ASSEMBLY JOINT RESOLUTION No. 3.

By Mr. Sanford:

Assembly Joint Resolution No. 3, 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 interest 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 the 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.

MOTION.

Mr. Sanford moved that Assembly Joint Resolution No. 3 be referred to a select committee, with instructions to report to-morrow.

Lost.

The Speaker referred Assembly Joint Resolution No. 3 to the Committee on Federal Relations.

ASSEMBLY JOINT RESOLUTION No. 4.

By Mr. Canavan:

WHEREAS, A universally recognized republican form of Government has been recently established over the Hawaiian Islands by the independent action of the inhabitants thereof; and

WHEREAS, It appears that said Government is founded upon such correct and advanced principles of humanity and wisdom as to insure its permanent stability, and it also appearing that a majority of the citizens of this Republic, many of whom control the administration of its affairs, are of the Caucasian race, being mainly of American origin; and

WHEREAS, It has become obvious, by reason of the numerous expressions of opinion of both citizens of Hawaii and those of the United States, that there exists a prevailing mutual sentiment among the people just mentioned in favor of the alliance of the Hawaiian Republic with the United States, either by means of the annexation of Hawaii to our country or by such other international agreement as will most properly serve to that end; and

WHEREAS, Owing to the geographical location of the Hawaiian Islands with relation to the United States; also, their extensive fertile territory and abundant natural resources, it certainly becomes an important question, in the light of expedience and necessity, in furtherance of the improvement of the military defenses of our western coast, in addition to largely promoting our commercial interests, that decisive measures should be speedily adopted with a view toward effecting the substantial union of the Hawaiian Republic with the United States, and the establishment of a moral protectorate over that Republic by our country, in accordance with those doctrines of international law as enunciated by our late President, James Monroe, of illustrious memory, for the express purpose of excluding the possibility of the absorption of the Hawaiian Government by any foreign power,

And, in view of the foregoing considerations, wherefore, be it

Resolved by the Assembly, and the Senate concurring, That our Representatives to Congress be and they are hereby requested and empowered to exercise special efforts in procuring such national action toward the accomplishment of the objects herein set forth as will be consistent with any other measures relative thereto that may best meet the approval of the constituted authorities of both countries.

Referred to Committee on Federal Relations.

APPOINTMENT OF COMMITTEE.

The Speaker announced the appointment of a Committee on Mileage, as follows: Messrs. Breiling, Fontana, Goodhue, Treacy, and Burnett.

RESOLUTIONS.

By Mr. Bettman:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly, in the sum of twenty-five dollars ($25) in favor of each member of the House, for contingent expenses during the present session

Adopted.

By Mr. Cutter:

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

Adopted.

By Mr. North, of Yolo:

WHEREAS, There is a strong desire, throughout the State, to lighten the burden of taxation during these hard times; and

WHEREAS, There is also a strong feeling, throughout the State, that the State affairs are not economically administered; therefore, be it

Resolved, That, upon its appointment, the Committee on Retrenchment and Public Expenditures (or the committee corresponding to the same) be instructed: First, to ascertain what State commissions, institutions, or boards, if any, can be consolidated, or are useless and should be abolished; and what expenditures of the various public offices or institutions, for salaries or otherwise, can be discontinued or advantageously reduced

in proportion to the change of circumstances of ordinary business; second, to prepare, and report to the Assembly, not later than February 1st, such bills or resolutions as may be required to carry out their recommendations.

Adopted.

By Mr. Price:

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

Adopted.

By Mr. Leavitt:

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.

Adopted.

CONTESTS.

The Speaker announced the receipt of the contest papers in the following cases:

In re J. D. Kelsey, contestant, vs. J. J. McLaurin, Fifty-fifth Assembly District.

Depositions and commission in the matter of contested election of T. O. Toland, for member of Assembly, Sixty-ninth District of California.

Referred to Committee on Contested Elections.

MOTION.

Mr. North, of Alameda, moved that the order of introduction of bills be postponed until to-morrow.

Mr. Dibble moved to amend by postponing until the afternoon session.

The motion was adopted as amended.

ASSEMBLY JOINT RESOLUTION No. 5.

By Mr. Hudson:

WHEREAS, The Pacific Coast States of the Union have been and are suffering arrested development, caused by commercial isolation; and

WHEREAS, This commercial isolation is remedial by the construction of the Nicaragua Canal, and the rapid development of the States be reassured; and

WHEREAS, The construction of this canal would inure to the incalculable benefit of every part of the United States in promoting commerce and manufactories, in developing such an enormous coastwise traffic as should more than restore our commercial marine, in making the Gulf of Mexico the center of world navigation, and in doubling the efficiency of our Navy; and

WHEREAS, The expense of the undertaking may be adequately met by a bond issue repayable by a sinking fund of half of one per cent set aside annually from canal tolls, so that no burden of increased taxation is imposed on our people, but rather an immensely valuable property acquired; 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 effect such legislation as shall assure the immediate building of the Nicaragua Canal, said canal to "be built, owned, and operated by the United States";

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

Referred to Committee on Federal Relations.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, SACRAMENTO, CAL., January 5, 1897.

To the Assembly of the State of California

I hereby transmit to your honorable body my first biennial message, with accompanying documents; also, report of the State Board of Capitol Commissioners.

JAMES H. BUDD, Governor.

Mr. Price moved that the Message of the Governor be not read, and that one thousand copies be printed and laid upon the desks of the members.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 5, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed the following: Senate Joint Resolution No. 1—Relative to a protective tariff on the fruits of this State.

F. J. BRANDON, Secretary.

SENATE CONCURRENT RESOLUTION No. 1.

WHEREAS, The Committee on Ways and Means of the House of Representatives is considering the preparation of a new tariff bill, in which the principle of protection to American industries is to be fully recognized; and

WHEREAS, The fruit interests of California are vitally interested in receiving adequate protection from foreign competition; 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 incorporation in the new tariff law of such import duties on fruits as shall fully and completely protect the fruit interests of California from foreign competition, securing to California producers the control of the home market, and a reasonable price for their products;

Resolved, That the Secretary of the Senate be directed to transmit to each of our Representatives in Congress, and to telegraph immediately to each of the Senators from this State, a copy of these resolutions.

Mr. Price moved that the House do now concur in Senate Joint Resolution No. 1.

The question being, "Shall the House now concur in Senate Joint Resolution No. 1?"

The roll was called, and Senate Joint Resolution No. 1 was concurred in by the following vote:

AYES—Messrs. Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Moultrie, Mulcrevy, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Ryan, Soward, Stansell, Strain, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—69.

NOES—None.

RECESS.

At twelve o'clock and fifteen minutes P. M., on motion of Mr. North, the Assembly took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

At two o'clock and fifty minutes P. M., the Assembly reassembled. Speaker Coombs in the chair.

SPECIAL ORDER—(REPORT OF SPECIAL COMMITTEE ON ASSEMBLY JOINT RESOLUTIONS Nos. 1 AND 2)

MAJORITY REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1897.

MR. SPEAKER: Your committee to whom was referred Assembly Joint Resolutions Nos. 1 and 2 have had the same under consideration, and respectfully report a substitute for the same, and recommend that it be adopted

ROBINSON,
WRIGHT,
BELSHAW,
Committee.

MINORITY REPORT OF COMMITTEE.

MR. SPEAKER: We, the undersigned, are in full accord with, and agree to, the substitute reported by the committee, but favor the addition thereto of the following: "And be it further resolved, that we petition, in behalf of the State of California, for a hearing before the respective committees of Congress having jurisdiction of the subject; and the Senate and House of Representatives of the United States are each hereby further petitioned to recommit the measure now under consideration and delay action thereon, until such hearing can be had."

Respectfully submitted.

CAMINETTI.
MEAD.

JOINT RESOLUTION No. 6—(COMMITTEE SUBSTITUTE FOR ASSEMBLY JOINT RESOLUTIONS Nos. 1 AND 2).

WHEREAS, There is now pending in Congress a measure, known as the "Powers-Gear" bill, which has for its object the refunding of the debts of certain Government-aided railroads, and

WHEREAS, Any scheme for refunding the Pacific Railroads' indebtedness to the United States Government, or any extension of the time for payment of the same, must result in maintaining an excessive capitalization of these roads, thus requiring high rates of fares and freights to meet the interest payments thereon, to the great burden and disadvantage of the People of the State of California; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That we are unalterably opposed to any and all extensions of the time for payment of said debts, and also to the Powers-Gear bill, or any other bill of like import, and we hereby instruct our Senators, and request our Representatives in Congress, to oppose, by all honorable means, the enactment of any such measure; and be it further

Resolved, That we favor the immediate collection, on maturity, of said debts, or in the event the same cannot be collected, then we urge the enforcement of existing laws of the United States concerning this question; and be it further

Resolved, That the Governor be requested to immediately transmit, by telegraph, a copy of these resolutions to our congressional delegation at Washington.

AMENDMENT.

By Mr. Caminetti:

Insert, immediately preceding last paragraph of Substitute for Assembly Concurrent Resolutions Nos 1 and 2, the following:

"*And be it further Resolved*, That we petition, in behalf of the State of California, for a hearing before the respective committees of Congress having jurisdiction of the subject; and the Senate and House of Representatives of the United States are hereby further petitioned to recommit the measure now under consideration, and delay final action thereon until such hearing can be had."

Adopted.

SUBSTITUTE FOR COMMITTEE REPORT.

By Mr. Dryden:

JOINT RESOLUTIONS Nos. 1 AND 2.

WHEREAS, There is now pending in Congress a bill known as the Powers bill, which has for its object the refunding of the debts of certain Government-aided railroads; and

WHEREAS, Any scheme of refunding the Pacific Railroads' indebtedness to the Government must result in maintaining an excessive capitalization of these roads, thus requiring high rates of fares and freights to meet the interest payments thereon, to the great burden and disadvantage of the people of the State of California; and

WHEREAS, A sale of these roads on foreclosure to any corporation or private person must result in the loss of most of said Government indebtedness, besides perpetuating the evils of private ownership and management; therefore,

Resolved by the Assembly of the State of California, the Senate concurring, That our Senators be instructed and our Representatives be requested to oppose the refunding of said indebtedness in any form, and in lieu thereof to favor legislation providing for the foreclosure and sale of said road upon condition that the Government shall bid in said roads and operate them as a national enterprise, in the interest and for the benefit of the whole people, and especially of California (who have contributed more to the support of said roads than the people of any other section):

Resolved, That the Governor be requested to immediately transmit by telegraph a copy of these resolutions to our congressional delegation in Washington

The question being on the adoption of the substitute offered by Mr. Dryden. The same was lost.

MOTION.

Mr. Burnett moved to amend Assembly Joint Resolution No. 6 by striking out the following:

And be it further Resolved, That we favor the immediate collection on maturity of said debts, or in the event the same cannot be collected, then we urge the enforcement of the existing laws of the United States concerning this question.

Lost.

The question now being on the adoption of Assembly Joint Resolution No. 6, the committee substitute for Assembly Joint Resolutions Nos. 1 and 2, as amended. The same was adopted.

RESOLUTION.

By Mr. Guy:

Resolved, That the following-named persons be and they are hereby appointed and employed for the positions 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. And the State Controller is hereby authorized and directed to draw his warrant upon the said fund, in favor of the following-named persons, for the said per diem, and the State Treasurer is hereby authorized and directed to pay the same:

Name.	Position.	Per Diem.
Charles Orr	Assistant Clerk	$8 00
H. F. Peart	Assistant Clerk	8 00
B. L. McKinley	Assistant Clerk	8 00
H. D. Pohlman	Assistant Clerk	8 00
W. S Spencer	Assistant Engrossing Clerk	8 00
Miss M R. Martin	Assistant Engrossing Clerk	8 00
Jos. C. Brooks	Assistant Engrossing Clerk	8 00
Alexander Leslie	Assistant Engrossing Clerk	8 00
A. A. Rutland	Assistant Engrossing Clerk	8 00
William Ryan	Assistant Enrolling Clerk	8 00
George Keane	Assistant Enrolling Clerk	8 00
Henry C. Jones	Assistant Enrolling Clerk	8 00
John Emerson	Assistant Enrolling Clerk	8 00
William Levison	Assistant Enrolling Clerk	8 00
Marshall Black	Assistant Journal Clerk	8 00
J. M. Oliver	Assistant Journal Clerk	8 00
A. J. Breiling	Assistant Journal Clerk	8 00
H. S. Adney	Assistant Journal Clerk	8 00
Robert Nixon, Jr.	Assistant Minute Clerk	8 00
F. W. Harris	Assistant Minute Clerk	8 00
Miss Georgettie Goodhue	Assistant Clerk	8 00
Rob V Robertson	Assistant Clerk	8 00
Leonard S. Levy	Bill Filer	5 00
I. Erb	Clerk to Sergeant-at-Arms	8 00
Robert Corlett	Assistant Clerk to Sergeant-at-Arms	8 00
M. Estudillo	Assistant Bill Clerk	4 00
C. D. Woods	Assistant Bill Clerk	4 00
J. A. Field	Assistant Bill Clerk	4 00
James Casey	Assistant File Clerk	4 00
A. H. Branman	Assistant File Clerk	4 00
J. F. Robinson	Assistant File Clerk	4 00
James Costello	Assistant File Clerk	4 00
C. F. Clark	Folding Clerk	4 00
Samuel Garrett	Clerk Governor's Messages	4 00
W. R. Hall	Messenger to State Printer	4 00
H. A. Downer	Usher	4 00
A Donnelly	Assistant Usher	4 00
William Grinsell	Assistant Doorkeeper	4 00
W. S. Reyner	Gatekeeper	4 00
E. West	Gatekeeper	4 00
W. H. Evans	Gatekeeper	4 00
J. D. Brower	Gatekeeper	4 00
John Kofod	Watchman	4 00
J. B. Nichols	Watchman	4 00
R. C. Eddy	Watchman	4 00
John Niemore	Watchman to Gallery	4 00
A. Hoffer	Watchman to Gallery	4 00

Name.	Position.	Per Diem.
Levi Coombs	Mail Carrier	$5 00
Harry Johnson	Janitor to Coat Room	4 00
Mrs. James Stokes	Janitress	4 00
Charles D. F. Case	Porter	4 00
J. E. Gross	Porter	4 00
C. F. Hill	Porter	4 00
M. McCloud	Porter	4 00
Geo. Lilly	Porter to Gallery	4 00
Turner Berry	Elevator Boy	4 00
D. L. Knowles	Elevator Boy	4 00

Adopted.

REPORT OF COMMITTEE ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1897.

MR. SPEAKER: Your Committee on Rules respectfully report the following Standing Rules of the Assembly, thirty-second session, and recommend the same be adopted.

CHYNOWETH, Chairman.

STANDING RULES OF ASSEMBLY.

I.—HOUR OF MEETING.

The sessions of the House shall be daily (Sundays excepted), beginning at nine o'clock and thirty minutes A. M Until February 1, 1897, 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 two o'clock P. M., unless otherwise ordered by a vote of the House

II.—ORDER OF BUSINESS.

1. Roll Call.
2. Prayer by the Chaplain
3. Reading and approval of the Journal.
4. Presentation of Petitions.
5. Reports of Standing Committees
6. Reports of Select Committees.
7. Messages from the Governor.
8. Messages from the Senate.
9. Introduction and Reference of Bills.
10. 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 the 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 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 first, second, or third, and no bill shall be read at either reading until the House has so determined by a vote. All bills to appropriate money for contingent 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, by a majority vote of the House, 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, 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 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*, they shall be read but once, and only 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 or resolution to a committee. The Speaker shall first indicate to what committee a bill or resolution 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 referred to a standing committee of the House, unless otherwise ordered by the House When reported back, they shall be placed upon a General File, to be kept by the Clerk, as follows All bills, when reported to the House by such committee, shall be placed at the foot of the file, in the order in which the reports are made; after the first reading they shall be returned to the foot of the file, in the order in which they are read, and after a second reading they shall be placed at the head of the file, in the order of reading, unless otherwise ordered by a two-thirds vote of the House The Clerk shall post in a conspicuous place in the chamber, a daily statement of the bills on the General File, setting forth the order in which they are filed, and specifying the alterations arising from the disposal of business each day

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, election laws, 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 compliance with the provision of Section 539 of the Political Code, and 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; no Clerk of this House, or his deputy or assistant, shall 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., shall take the chair precisely at the hour appointed for meeting, and shall immediately call the House to order. In the absence of both the Speaker and Speaker pro tem., the Chief Clerk, or an assistant, shall call the House to order, whereupon a Chairman shall be elected from among the members to preside.

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 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.

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

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

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 $1; for each day's custody and releasement, $1; 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 arrest, 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 Homesteads and Land Monopoly, to consist of seven members.
20. A Committee on Irrigation, to consist of nine members
21. A Committee on Judiciary, to consist of twenty-one members
22. A Committee on Labor and Capital, to consist of nine members.
23. A Committee on Manufactures and Internal Improvements, to consist of five members.
24. A Committee on Mileage, to consist of five members.
25. A Committee on Military Affairs, to consist of seven 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 and Forestry, 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 Commissions, 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 Revision of Codes and Statutes, to consist of five members.
36. A Committee on Rules and Regulations, to consist of five members, together with the Speaker, who shall be ex officio a member
37. A Committee on State Capitol, Public Works, and Parks, to consist of five members.
38. A Committee on State Hospitals and Asylums, to consist of nine members.
39. A Committee on State Library, to consist of five members
40. A Committee on State Prisons and Reformatory Institutions, to consist of nine members
41. A Committee on Swamp and Overflowed Lands, to consist of nine members.
42. A Committee on Ways and Means, to consist of eleven members.

The Chairmen of the Committees on Ways and Means and Judiciary, respectively, shall appoint two clerks, at a per diem of $8. The Chairman of the Committee on Revision of Codes and Statutes shall appoint one clerk, at a per diem of $8. The Chairmen of all other committees, respectively, shall appoint one clerk, at a per diem of $5.

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 CONTESTED 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 REVISION OF CODES AND STATUTES.

The Committee on Revision of Codes and Statutes shall have the consideration of all bills amending the codes and statutes of the State recommended by the Code Commission, created by the Act approved March 28, 1895.

XXXI.—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.

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 on 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.

XLI.—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.

XLII.—PERSONAL EXPLANATION.

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

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

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

XLIV —MOTIONS TO ADJOURN.

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

XLV.—PRECEDENCE OF MOTIONS DURING DEBATE

When a question is under debate, or before the House, no motion shall be received but: to adjourn; to 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. A dilatory motion shall not be considered intervening business within the meaning of parliamentary usage.

XLVI —PREVIOUS QUESTION.

The previous question shall be in this form: "Shall the main question be now put?" and its effect, when sustained by a majority 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.

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

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

XLVIII.—PREVIOUS QUESTION DEMANDED.

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

XLIX.—QUESTION INDEFINITELY POSTPONED.

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

L.—DIVISION OF QUESTIONS.

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

LI —SUBSTITUTE.

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

LII.—SUBJECTS DIFFERENT FROM THE ONE UNDER CONSIDERATION.

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

LIII.—PRINTING 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 $2; 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.

No additional attachés shall be appointed or elected. Nor shall any increase of pay be allowed.

LXXVI

Whenever, in the Assembly, a contest is made for the seat of any Assemblyman, no more than $200 shall be allowed as counsel fees for the sitting member, and $100 for the contesting member, regardless of who is seated.

MOTIONS.

Mr. Dibble moved that the consideration of the Rules of the House be made a special order immediately after the reading of the Journal to-morrow.

So ordered.

Mr. Dibble moved that the reading of the report of Committee on Rules be dispensed with, and that the same be printed in the Assembly Journal.

So ordered.

INTRODUCTION OF BILLS.

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

By Mr. Wright: Assembly Bill No. 1—An Act to provide for additions

and improvements to the Deaf, Dumb, and Blind Asylum, and making an appropriation for the same.

Referred to Committee on Public Buildings and Grounds.

By Mr. Dibble: Assembly Bill No. 2—An Act to regulate primary elections, and to protect nominees of party conventions in the use of the party name or designation upon all ballots cast in elections for public officers.

Referred to Committee on Election Laws.

Also: Assembly Bill No. 3—An Act to amend Section 1 of 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 the amendment thereto, approved February 23, 1893, and fixing the term of the Judges thereof.

Referred to San Francisco Delegation.

Also: Assembly Bill No. 4—An Act to protect all citizens in their civil and legal rights.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 5—An Act for the relief of Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

Referred to Committee on Claims.

Also: Assembly Bill No. 6—An Act authorizing the appointment of an interpreter of the Japanese language in criminal proceedings, in cities, and cities and counties, of one hundred thousand inhabitants and over.

Referred to San Francisco Delegation.

Also: Assembly Bill No. 7—An Act to compel all depositories of money and commercial banks to publish a sworn statement of all unclaimed deposits.

Referred to Committee on Banks and Banking.

Also: Assembly Bill No. 8—An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors, and marines in this State, who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889.

Referred to Committee on Military Affairs.

Also: Assembly Bill No. 9—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.

Referred to San Francisco Delegation.

By Mr. Bridgford: Assembly Bill No. 10—An Act to amend Section 29 of an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887.

Referred to Committee on Irrigation.

Also: Assembly Bill No. 11—An Act to amend Sections 8 and 49 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 March 26, 1895.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 12—An Act to amend Section 312 of the Code

of Civil Procedure of the State of California, relating to the time of commencing actions.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 13—An Act to amend Section 3817 of the Political Code of the State of California, relating to the redemption of real estate sold for taxes.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 14—An Act to amend Section 2955 of the Civil Code of the State California, respecting the mortgaging of personal property.

Referred to Committee on Judiciary.

By Mr. North, of Alameda: Assembly Bill No. 15—An Act to appropriate $1,535 25 to pay the claim of W. W. Foote and Garrett W. McEnerney for legal services rendered and expenses incurred by them in that certain action commenced in and decided by the Supreme Court of the State of California, and which was therein entitled "The People of the State of California, on relation of John C. Lynch, petitioner, vs. James H. Budd, respondent," and numbered S. F. No. 600.

Referred to Committee on Claims.

Also: Assembly Bill No. 16—An Act to establish a uniform system of primary elections in the State of California, and to repeal Sections 1357 to 1365, both inclusive, of the Political Code of this State, constituting Chapter XIV, of Title II, Part III, of said Code, and to constitute the several sections of this Act as Chapter XIV of said Code, under the head, "Primary Election Law."

Referred to Committee on Election Laws.

By Mr. Treacy: Assembly Bill No. 17—An Act fixing the minimum rate of compensation for labor on public works.

Referred to Committee on Labor and Capital.

By Mr. Valentine: Assembly Bill No. 18—An Act to amend clause thirty-seven (37), section twenty-five (25), County Government Act.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 19—An Act appropriating money to pay the expenses of carrying on the preliminary work of preparing, collecting, and storing an exhibit of the products of the State of California for the Paris Exposition, to be held in Paris in 1900, and to provide for a commission, secretary of commission, and pay for secretary thereof.

Referred to Committee on Federal Relations.

Also: Assembly Bill No. 20—An Act appropriating money to pay the expenses of collecting, preparing, forwarding, installing, and maintaining, taking down, and returning an exhibit of the products of the State of California at the Tennessee Centennial Exposition, to be held in Nashville, 1897, and to provide for commission, secretary of commission, and for pay of the secretary thereof.

Referred to Committee on Federal Relations.

By Mr. Kenyon: Assembly Bill No. 21—An Act to amend Section 1 of an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 22—An Act to amend Section 5 of an Act entitled "An Act to provide a system of street improvement bonds to represent assessments for the cost of street work and improvements

within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Referred to Committee on Municipal Corporations.

By Mr. Soward: Assembly Bill No. 23—An Act entitled an Act to amend Section 1575 of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 24—An Act entitled an Act to amend Section 175 of the Civil Code, relating to the power of the husband over community property.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 25—An Act to amend an Act entitled "An Act to provide for the payment of the wages of mechanics and laborers employed by corporations," approved March 31, 1891.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 26—An Act to amend Section 15 of an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled "An Act for the relief of the inhabitants of cities and towns upon the public lands,"' approved March 2, 1867," approved March 13, 1868.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 27—An Act to repeal Section 1 of an Act entitled "An Act for the further protection of stockholders in mining companies," approved April 23, 1880.

Referred to Committee on Corporations.

Also: Assembly Bill No. 28—An Act to repeal Section 3 of an Act entitled "An Act for the better protection of stockholders in corporations formed under the laws of the State of California, for the purpose of carrying on and conducting the business of mining," approved March 30, 1874.

Referred to Committee on Corporations.

Also: Assembly Bill No. 29—An Act entitled an Act to amend Section 1192 of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 30—An Act regulating the mode of operating mines where blasting is being done, and providing for the printing and circulating of copies of this Act.

Referred to Committee on Mines and Mining.

Also: Assembly Bill No. 31—An Act making an appropriation for aid to the District Agricultural Societies of the State, now created and to be created pursuant to existing laws, for the forty-ninth and fiftieth fiscal years.

Referred to Committee on Agriculture.

By Mr. Clark: Assembly Bill No. 32—An Act to amend Sections 2633, 2642, 2643, 2645, 2652, and 2711 of the Political Code of the State of California, and to add one new section to said Code, to be known as Section 2710, relating to highways, and the powers and duties of highway officers.

Referred to Committee on Roads and Highways.

By Mr. Dennery: Assembly Bill No. 33—An Act to provide for the

remission of costs in Justices' Courts in actions to recover for personal services.

Referred to Committee on Judiciary.

By Mr. Goff: Assembly Bill No. 34—An Act to amend Section 3 of an Act approved February 16, 1889, entitled "An Act to amend Sections 10, 22, and 27 of 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, relating to the collection of assessments in irrigation districts.

Referred to Committee on Irrigation.

Also: Assembly Bill No. 35—An Act to amend Section 29 of 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, relating to redemption of property sold for non-payment of assessments.

Referred to Committee on Irrigation.

Also: Assembly Bill No. 36—An Act to provide for, insure and maintain preference in places of appointment in the public service of honorably discharged Union soldiers, sailors, and marines of the War of the Rebellion.

Referred to Committee on Military Affairs.

By Mr. North, of Yolo: Assembly Bill No. 37—An Act to amend Sections 1670 and 1671 of the Political Code, by adding a new section thereto, numbered 1671½, providing for the disincorporation of high school districts, and the sale of property and division of the funds thereof.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 38—An Act to amend Section 626*i* of the Penal Code, relating to fish and game.

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 39—An Act to amend Section 2643 of the Political Code, relating to the duties of Boards of Supervisors.

Referred to Committee on County and Township Governments.

By Mr. Lindenberger: Assembly Bill No. 40—An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 41—An Act to amend Section 1469 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 $1,500.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 42—An Act to amend Sections 3746, 3756, 3758, 3759, 3764, and 3767 of the Political Code, relating to the time of payment of taxes.

Referred to Committee on Judiciary.

By Mr. Austin: Assembly Bill No. 43—An Act appropriating the sum of $3,500 for the erection of a California inaugural exhibition arch in the City of Washington, D. C.

Referred to Committee on Ways and Means.

By Mr. Sanford: Assembly Bill No. 44—An Act to establish and support a Department of Labor.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 45—An Act requiring every corporation in this State to pay their employés, and each of them, at least once in each and every month, the wages earned by such employés; 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-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 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.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 46—An Act regulating the hours of labor in sawmills, shingle-mills, shakemills, and logging-camps.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 47—An Act to enforce the prompt payment of the wages of laborers in lawful money of the United States of America.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 48—An Act to provide for the employment of citizens of the United States upon public works within this State.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 49—An Act to provide for a lunch hour for employés.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 50—An Act to appropriate $110,000 for the erection of an administration building for the use and occupancy of the officers and employés and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the directors of said asylum; to appropriate money therefor, and provide for the expenditure of the same.

Referred to Committee on State Prisons and Reformatory Institutions.

Also: Assembly Bill No. 51—An Act governing the transportation of the insane from counties in which they have been committed to the asylums of the State of California, and designating the person or persons who shall convey such insane persons to said asylum.

Referred to Committee on State Prisons and Reformatory Institutions.

Also: Assembly Bill No. 52—An Act to appropriate $20,000 to furnish additional water-supply to the Mendocino Asylum; to construct an electric plant for lighting the asylum building and grounds, and purchase the necessary machinery and appliances therefor; to construct a building for said electric plant; to construct a dam; to purchase an ice plant and cold-storage system for said asylum; to appropriate money therefor, and provide for the expenditure of the same.

Referred to Committee on State Prisons and Reformatory Institutions.

Also: Assembly Bill No. 53—An Act to amend Section 1137 of the Penal Code, relating to papers jury may take when retiring.

Referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 54—An Act to amend Section 1093 of the Penal Code, relating to the order of trial.

Referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 55—An Act to amend Section 612 of the Code of Civil Procedure, relating to papers jury may take when retiring.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 56—An Act to amend Section 607 of the Code of Civil Procedure of the State of California, relating to order of procedure on trial.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 57—An Act to amend Section 792 of the Political Code, so as to prohibit a county officer, or his deputy, from being a notary public.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 58—An Act to amend Section 398 of the Code of Civil Procedure, relating to a change of place of trial.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 59—An Act to add two new sections to the Code of Civil Procedure, said sections to be designated as Sections 663, 663½, respectively, providing for the setting aside of a judgment of a Superior Court and the rendition of a new judgment without a new trial.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 60—An Act to amend Section 685 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.

Referred to Committee on Judiciary.

By Mr. Dryden: Assembly Constitutional Amendment No. 1—Proposed amendment to Article XVIII of the Constitution, relative to amendments.

Referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 2—Proposed amendment to Article IV of the Constitution, relating to legislative power.

Referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 3—Proposed amendment to Article II of the Constitution, relative to elections.

Referred to Committee on Constitutional Amendments.

By Mr. Mahoney: Assembly Bill No. 61—An Act to amend Section 3245 of the Political Code.

Referred to Committee on Labor and Capital.

By Mr. Kelly: Assembly Bill No. 62—An Act making an appropriation to pay the claim of Thomas Hatch.

Referred to Committee on Claims.

By Mr. Jones: Assembly Bill No. 63—An Act to amend an Act, approved March 26, 1893, entitled "An Act to create and administer a public school teachers' annuity and retirement fund in the several counties and cities and counties in the State."

Referred to Committee on Education.

By Mr. Price: Assembly Bill No. 64—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.

Referred to Committee on Roads and Highways.

By Mr. Guy: Assembly Bill No. 65—An Act establishing a State

Normal School in San Diego County, California, and making an appropriation of $75,000 therefor.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 66—An Act to enable cities incorporated and operating under a charter framed under Section 8, Article XI, of the Constitution, to abandon and annul such charter and organize under general laws.

Referred to Committee on Municipal Corporations.

By Mr. Elliott: Assembly Bill No. 67—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, partnerships, firms, and individuals doing a banking business within this State.

Referred to Committee on Banks and Banking.

By Mr. Melick: Assembly Bill No. 68—An Act to amend "An Act to establish the fees of county, township, and other officers, and of jurors and witnesses, in this State," relating to fees to be paid County Clerks.

Referred to Committee on County and Township Governments.

Also (by request): Assembly Bill No. 69—An Act to prohibit the adulteration of honey, and to provide a punishment therefor.

Referred to Committee on Agriculture.

By Mr. Foreman: Assembly Bill No. 70—An Act to amend Section 165 of the Code of Civil Procedure of the State of California, relating to the powers of Justices of the Peace to call in other Justices of the Peace to act in their place and stead.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 71—An Act to amend Section 4428 of the Political Code of the State of California, relating to the powers of Judges of Police Courts to call in Justices of the Peace to act in their place and stead.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 72—An Act to keep open natural channels, not navigable, which run through agricultural land and are subject to overflow, to the injury of the land, and the duty of Boards of Supervisors in relation thereto.

Referred to Committee on County and Township Governments.

By Mr. Belshaw: Assembly Bill No. 73—An Act to amend Section 634 of the Penal Code.

Referred to Committee on Fish and Game.

By Mr. Strain (by request): Assembly Bill No. 74—An Act to provide for holding a joint primary election for all political parties.

Referred to Committee on Election Laws.

By Mr. Mead: Assembly Bill No. 75—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting franchises," approved March 23, 1893, relating to bids for sale of franchises.

Referred to Committee on Corporations.

By Mr. Hill: Assembly Bill No. 76—An Act to amend Section 261 of the Penal Code of the State of California, relating to the crime of rape, and what constitutes the same.

Referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 77—An Act to amend Sections 190 and 218 of the Penal Code of the State of California, relating to the punishment for murder and train-wrecking, respectively.

Referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 78—An Act to amend the section referring to jurors' fees in "An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State," approved March 28, 1895.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 79—An Act to repeal Section 626, and to amend Sections 627*d*, 628, 632*a*, 634, and 636 of the Penal Code of the State of California, relating to fish and game.

Referred to Committee on Fish and Game.

By Mr. Bettman: Assembly Bill No. 80—An Act to provide for the employment of citizens of the United States upon public works within this State.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 81—An Act to enforce the prompt payment of the wages of laborers, in lawful money of the United States of America.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 82—An Act to prevent collusion between employers of labor and employment agents.

Referred to Committee on Labor and Capital.

By Mr. Soward: Assembly Bill No. 83—An Act to amend 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 directions, in the discharge of his duties as such Commissioner," approved March 24, 1893.

Referred to Committee on Mines and Mining Interests.

RESOLUTIONS.

By Mr. Cutter:

Resolved, That the Sergeant-at-Arms 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. Mahoney:

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. Price:

Resolved, That the Secretary of State be and he is hereby authorized to purchase and pay out of the fund for contingent expenses of the Assembly for eighty-five copies of the latest pocket edition of the Codes of the State of California, and the supplement thereto, and deliver the same to the Secretary of the Assembly; and the State Controller is hereby directed to draw his warrant on the fund for the payment of the contingent expenses of the Assembly in payment for the same, and the State Treasurer is hereby authorized to pay said warrant.

Adopted.

ADJOURNMENT.

At five o'clock and five minutes P. M., on motion of Mr. Malcolm, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 6, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

The reading of the Journal was dispensed with, and its approval postponed until to-morrow.

QUESTION OF PRIVILEGE.

Mr. Dryden, of San Diego, spoke to a question of privilege, regarding his attitude and vote on funding bill resolution on yesterday.

SPECIAL ORDER—(THE CONSIDERATION OF THE RULES OF THE HOUSE).

Mr. Bridgford moved that the consideration of the rules of the House be postponed until to-morrow, and be made a special order for to-morrow, immediately after reading the Journal.

So ordered.

APPROVAL OF JOURNAL.

The Journal of January 4th was approved.

Speaker pro tem. Kenyon was called to the chair by the Speaker.

REPORT OF COMMITTEE ON MILEAGE.

The Committee on Mileage submitted report.

The same was read and, pending consideration, the report was withdrawn by the Chairman, by unanimous consent.

Speaker Coombs resumed the chair.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, SACRAMENTO, CAL., January 5, 1897.

To the Assembly of the State of California:

I hereby transmit to your honorable body my first biennial message, with accompanying documents, also, report of the State Board of Capitol Commissioners.

JAMES H. BUDD, Governor.

LEAVE OF ABSENCE.

Mr. Sims, of Sacramento, was granted a leave of absence by request of Mr. Ennis.

RESOLUTION.

By Mr. Cutter:

Resolved, That each of the standing committees of the Assembly be allowed a Clerk, except the Committees on Judiciary and Ways and Means, which are allowed two Clerks each;

That the Committees on Judiciary, Corporations, and Ways and Means be allowed a Sergeant-at-Arms each;

That the Committees on Judiciary, Ways and Means, and Revision of Codes and Statutes be each allowed a Stenographer and a Porter;

That the appointment of the above-named attachés be vested in the Chairmen of the respective committees;

That the compensation of the above-named attachés be $5 per day each, except the Clerks of the Committees on Judiciary, Ways and Means, and Revision of Codes and Statutes, who shall each receive $8 per day;

That the said compensation be paid out of the Contingent Fund of the Assembly; and the Controller is authorized and directed to draw his warrants on said fund for the same.

AMENDMENT.

By Mr. Sanford:

Resolved, also, That the Chairman of the San Francisco Delegation and the Chairman of the Democratic Minority shall each be and they are hereby allowed to appoint a Clerk and Sergeant-at-Arms, at a per diem of $5.

Mr. Dibble moved that the consideration of report, together with amendments offered, be postponed and be made special order for to-morrow, immediately preceding the consideration of the report of Committee on Rules.

So ordered.

ASSEMBLY JOINT RESOLUTION No. 7.

By Mr. Belshaw:

WHEREAS, There is an open ship channel between San Francisco Bay and Antioch, for vessels drawing twenty-five feet of water, with the exception of a distance of from one-half to three-fourths of a mile in Suisun Bay; and

WHEREAS, The water at low tide on said bar is sixteen feet in depth; therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed, and our Representatives therein be requested and urged, to take such action as shall result in an estimate by Government engineers of the probable cost of dredging said bar to such depth as will admit the safe passage of vessels drawing twenty-five feet of water between said points, hereinbefore mentioned, and that following such report an appropriation by Congress be made to defray such expense;

Resolved, That a copy of these resolutions be immediately forwarded by telegraph to our Senators and Representatives in Congress by the Chief Clerk of the Assembly.

Referred to Committee on Judiciary.

RESOLUTIONS.

By Mr. Price:

Resolved, That the Assembly post office be kept open from nine o'clock A. M. to six o'clock P. M. every day except Sundays, and on Sundays from twelve M till two P. M., unless otherwise specially ordered by this Assembly.

Adopted.

By Mr. Belshaw:

Resolved, That the hours of elevator service be from eight o'clock and thirty minutes A. M. to eleven o'clock P M. of each day, Sundays excepted.

Adopted.

INTRODUCTION OF BILLS.

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

By Mr. North, of Alameda (by request): Assembly Bill No. 84—An Act to appropriate money for the support of aged persons in indigent circumstances.

Referred to Committee on Commissions, Retrenchment, and Public Expenditures.

By Mr. Soward: Assembly Bill No. 85—An Act to amend Section 832 of the Code of Civil Procedure, relating to place of trial of actions in Justices' Courts.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 86—An Act to amend Section 1197 of the Code of Civil Procedure, relating to independent rights of action in cases of liens.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 87—An Act to amend Section 818 of the Penal Code, relating to warrants issued by magistrates and their delivery to peace officers, and to repeal Sections 819 and 820 of the Penal Code, relating to the issuance and execution of warrants in a county other than the one in which they were issued.

Referred to Committee on Judiciary.

Also: Assembly Bill No 88—An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution, and to repeal Section 1196, relating to property subject to attachment, execution, or other legal process.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 89—An Act to amend an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895, by amending Section 669 thereof, relating, respectively, to the appointment of a time for the election of an assignee, and to costs in cases of involuntary insolvency.

Referred to Committee on Judiciary.

By Mr. Dibble: Assembly Bill No. 90—An Act to amend Section 38 of an Act approved March 9, 1893, amending Sections 38 to 53, inclusive, of an Act approved March 31, 1891, adding those sections to an Act to provide for work upon streets, alleys, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities, approved March 18, 1885.

Referred to Committee on Municipal Corporations.

By Mr. Vosburg (by request): Assembly Bill No. 91—An Act to amend Sections 2731, 2733, 2732, 2735, in Article VIII, of road laws.

Referred to Committee on Roads and Highways.

By Mr. Goff: Assembly Bill No. 92—An Act making an appropriation for furnishing a central building for the Southern California State Asylum for the Insane and Inebriates.

Referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 93—An Act making an appropriation for enlarging the laundry of the Southern California State Asylum for the Insane and Inebriates to double the present capacity.

Referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 94—An Act making an appropriation for the erection of a dairy barn and appurtenances for the Southern California State Asylum for the Insane and Inebriates.

Referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 95—An Act making an appropriation for the erection of a community dining-room and dormitory building for the Southern California State Asylum for the Insane and Inebriates.

Referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 96—An Act making an appropriation for the erection of a central building for the Southern California State Asylum for the Insane and Inebriates.

Referred to Committee on State Hospitals and Asylums.

By Mr. Moultrie: Assembly Bill No. 97—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code."

Referred to Committee on Judiciary.

Also: Assembly Bill No. 98—An Act to amend Sections 1369 and 1379 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the competency and appointment of administrators of estates of deceased persons.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 99—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to mortgages.

Referred to Committee on Judiciary.

By Mr. Cutter: Assembly Bill No. 100—An Act providing for the election or appointment 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 such judges.

Referred to Committee on Judiciary.

By Mr. Strain (by request): Assembly Bill No. 101—An Act to authorize the use of photography to detect and prevent fraudulent voting.

Referred to Committee on Election Laws.

By Mr. Anderson: Assembly Bill No. 102—An Act to amend Section 634 of the Political Code, relating to taking of salmon, shad, and striped bass—meshes of seine.

Referred to Committee on Fish and Game.

By Mr. Leavitt: Assembly Bill No. 103—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Referred to Committee on Judiciary.

ADJOURNMENT.

At eleven o'clock and forty minutes A. M., on motion of Mr. North, of Alameda, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 7, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Moultrie, Shanahan, Sims, Landsborough, and Cartwright were granted leave of absence for the day, and Mr. Soward was granted leave of absence for the remainder of the week.

PRAYER.

Prayer was offered by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

During the reading of the Journal of yesterday, Mr. Guy moved that the further reading be dispensed with.

So ordered.

CORRECTION OF JOURNAL.

Mr. Soward moved that the approval of the Journal of January 4th be reconsidered.

So ordered.

Mr. Soward moved to correct the Journal of January 4th, page 9, in the appointments of the Speaker, so that it will read "Claire Moore," instead of "Charles Moore."

So ordered.

APPROVAL OF JOURNALS.

The Journals of January 4th and 5th were approved.

Mr. Sanford requested that Assembly Bills Nos. 50 and 52 be withdrawn from the Committee on State Prisons and Reformatory Institutions and re-referred to Committee on Buildings and Grounds.

Granted by unanimous consent.

SPECIAL ORDERS—REPORT OF COMMITTEE ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1897.

MR. SPEAKER: Your Committee on Rules, to which was referred the resolution offered by Mr. Cutter, of Sutter and Yuba, and the amendment thereto by Mr. Sanford, of Men-

docino, respectfully report and recommend that the amendment offered by Mr. Sanford be concurred in, and the resolution of Mr. Cutter be adopted as thus modified

And your committee respectfully recommend the following amendments to the Standing Rules, as heretofore reported.

CHYNOWETH, Chairman.

RESOLUTION BY MR. CUTTER.

Resolved, That each of the standing committees of the Assembly be allowed a Clerk, except the Committees on Judiciary and Ways and Means, which are allowed two Clerks each;

That the Committees on Judiciary, Corporations, and Ways and Means be allowed a Sergeant-at-Arms each,

That the Committees on Judiciary, Ways and Means, and Revision of Codes and Statutes be each allowed a Stenographer and a Porter;

That the appointment of the above-named attachés be vested in the Chairmen of the respective committees;

That the compensation of the above-named attachés be $5 per day each, except the Clerks of the Committees on Judiciary, Ways and Means, and Revision of Codes and Statutes, who shall each receive $8 per day;

That the said compensation be paid out of the Contingent Fund of the Assembly; and the Controller is authorized and directed to draw his warrants on said fund for the same.

AMENDMENT BY MR. SANFORD.

Resolved, also, That the Chairman of the San Francisco Delegation and the Chairman of the Democratic Minority shall each be and they are hereby allowed to appoint a Clerk and Sergeant-at-Arms, at a per diem of $5.

AMENDMENT.

Resolved, That Subdivision 9 of Rule XXVI be amended so as to read as follows:

"9. A Committee on County and Township Governments, to consist of thirteen members."

AMENDMENT.

Resolved, That Subdivision 23 of Rule XXVI be amended so as to read as follows:

"23. A Committee on Manufactures and Internal Improvements, to consist of nine members"

AMENDMENT.

Resolved, That Subdivision 35 of Rule XXVI be amended so as to read as follows:

"35. A Committee on Revision of Codes and Statutes, to consist of seven members"

AMENDMENT.

Resolved, That Subdivision 41 of Rule XXVI be amended so as to read as follows:

"41. A Committee on Swamp and Overflowed Lands and River Improvements, to consist of nine members."

AMENDMENT.

Resolved, That the following paragraph of Rule XXVI be stricken out:

"The Chairmen of the Committees on Ways and Means and Judiciary, respectively, shall appoint two Clerks, at a per diem of $8. The Chairman of the Committee on Revision of Codes and Statutes shall appoint one Clerk, at a per diem of $8. The Chairmen of all other committees, respectively, shall appoint one clerk, at a per diem of $5."

AMENDMENT.

Resolved, That Rule LXXV be amended by inserting after the word "elected," in the first line, the following words: "Except such attachés or employés as the Speaker, in his judgment, may deem absolutely necessary to carry on the business of the Assembly, in which case he is authorized to make such appointments, nor shall any increase of pay be allowed."

The question being upon the resolution of Mr. Cutter and the amendment thereto offered by Mr. Sanford, the amendment of Mr. Sanford being accepted by Mr. Cutter.

Adopted.

PREVIOUS QUESTION.

Pending discussion, Mr. Stansell moved the previous question, seconded by Messrs. Price, Dennery, and Valentine.

The question being, "Shall the main question be now put?"

So ordered.

The question now recurring upon the report of the Committee on Rules, as amended.

Adopted.

EXPLANATION OF VOTE.

I vote for the adoption of Mr. Cutter's resolution relative to employing a Sergeant-at-Arms, a Stenographer, and a Porter for the Committees on Ways and Means and Judiciary, for a Stenographer and a Porter to the Committee on Revision of Codes; for Sergeant-at-Arms to the Committee on Corporations, for attachés to the San Francisco Delegation, and Minority, because it is the will of the Republican caucus; all of which attachés I consider unnecessary and a useless expense to the State.

C. M. BELSHAW.

MOTION.

Mr. Dibble moved that the rules just adopted, together with the amendments, be properly compiled and published in full in to-day's Journal.

So ordered.

STANDING RULES OF ASSEMBLY.

I.—HOUR OF MEETING.

The sessions of the House shall be daily (Sundays excepted), beginning at nine o'clock and thirty minutes A. M. Until February 1, 1897, 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 two o'clock P. M., unless otherwise ordered by a vote of the House.

II.—ORDER OF BUSINESS.

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approval of the Journal.
4. Presentation of Petitions.
5. Reports of Standing Committees.
6. Reports of Select Committees.
7. Messages from the Governor.
8. Messages from the Senate.
9. Introduction and Reference of Bills.
10. 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 the 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 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 first, second, or third, and no bill shall be read at either reading until the House has so determined by a vote. All bills to appropriate money for contingent 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, by a majority vote of the House, 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, 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 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*, they shall be read but once, and only 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 or resolution to a committee. The Speaker shall first indicate to what committee a bill or resolution 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 referred to a standing committee of the House, unless otherwise ordered by the House. When reported back, they shall be placed upon a General File, to be kept by the Clerk, as follows: All bills, when reported to the House by such committee, shall be placed at the foot of the file, in the order in which the reports are made; after the first reading they shall be returned to the foot of the file, in the order in which they are read, and after a second reading they shall be placed at the head of the file, in the order of reading, unless otherwise ordered by a two-thirds vote of the House. The Clerk shall post, in a conspicuous place in the chamber, a daily statement of the bills on the General File, setting forth the order in which they are filed, and specifying the alterations arising from the disposal of business each day.

XIV.—ORDER OF 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, election laws, 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 compliance with the provision of Section 539 of the Political Code, and 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; no Clerk of this House, or his deputy or assistant, shall 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., shall take the chair precisely at the hour appointed for meeting, and shall immediately call the House to order. In the absence of both the Speaker and Speaker pro tem., the Chief Clerk, or an assistant, shall call the House to order, whereupon a Chairman shall be elected from among the members to preside.

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 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.

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

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

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 $1; for each day's custody and releasement, $1; 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 arrest, 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 thirteen 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 Homesteads and Land Monopoly, to consist of seven members.
20 A Committee on Irrigation, to consist of nine members.
21. A Committee on Judiciary, to consist of twenty-one members.
22 A Committee on Labor and Capital, to consist of nine members.
23. A Committee on Manufactures and Internal Improvements, to consist of nine members.
24. A Committee on Mileage, to consist of five members.
25. A Committee on Military Affairs, to consist of seven 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 and Forestry, 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 Commissions, 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 Revision of Codes and Statutes, to consist of seven members.
36. A Committee on Rules and Regulations, to consist of five members, together with the Speaker, who shall be ex officio a member.
37. A Committee on State Capitol, Public Works, and Parks, to consist of five members.
38. A Committee on State Hospitals and Asylums, to consist of nine members.
39. A Committee on State Library, to consist of five members
40. A Committee on State Prisons and Reformatory Institutions, to consist of nine members
41. A Committee on Swamp and Overflowed Lands and River Improvements, to consist of nine members.
42. 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 CONTESTED 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 REVISION OF CODES AND STATUTES.

The Committee on Revision of Codes and Statutes shall have the consideration of all bills amending the Codes and Statutes of the State recommended by the Code Commission, created by the Act approved March 28, 1895.

XXXI.—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.

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 on 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.

XLI —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.

XLII.—PERSONAL EXPLANATION.

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

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

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

XLIV.—MOTIONS TO ADJOURN.

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

XLV.—PRECEDENCE OF MOTIONS DURING DEBATE.

When a question is under debate, or before the House, no motion shall be received but: to adjourn; to 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. A dilatory motion shall not be considered intervening business within the meaning of parliamentary usage.

XLVI.—PREVIOUS QUESTION.

The previous question shall be in this form: "Shall the main question be now put?" and its effect, when sustained by a majority 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.

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

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

XLVIII.—PREVIOUS QUESTION DEMANDED.

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

XLIX.—QUESTION INDEFINITELY POSTPONED.

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

L.—DIVISION OF QUESTIONS.

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

LI.—SUBSTITUTE.

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

LII.—SUBJECTS DIFFERENT FROM THE ONE UNDER CONSIDERATION.

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

LIII.—PRINTING 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 $2; 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.

No additional attachés shall be appointed or elected, except such attachés or employés as the Speaker in his judgment may deem absolutely necessary to carry on the business of the Assembly, in which case he is authorized to make such appointment; nor shall any increase in pay be allowed.

LXXVI.

Whenever, in the Assembly, a contest is made for the seat of any Assemblyman, no more than $200 shall be allowed as counsel fees for the sitting member, and $100 for the contesting member, regardless of who is seated.

INTRODUCTION OF BILLS.

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

By Mr. Leavitt: Assembly Bill No. 104—An Act to amend an Act entitled "An Act to create and organize the University of California," approved March 23, 1868, approved March 28, 1872, amendatory of Section 25 thereof, relating to the construction of buildings.

Referred to Committee on Public Buildings and Grounds.

By Mr. North, of Alameda: Assembly Bill No. 105—An Act to amend Sections 739 and 769 of the Political Code, relating to the appointment of phonographic reporters by the Supreme Court.

Referred to Committee on Judiciary.

By Mr. Elliott: Assembly Bill No. 106—An Act to amend Section 274 of the Code of Civil Procedure, relating to official reporters.

Referred to Committee on Judiciary.

By Mr. Goff: Assembly Bill No. 107—An Act to amend Section 928 of the Penal Code of California, and relating to the appointment of experts to examine the county records.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 108—An Act making an appropriation to

pay for the support of the Southern California State Asylum for the Insane and Inebriates, for the remainder of the forty-eighth fiscal year.

Referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 109—An Act making an appropriation for a system of storm drains and improvements of grounds of the Southern California State Asylum for the Insane and Inebriates.

Referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 110—An Act making an appropriation to pay for the support of the Southern California Asylum for the Insane and Inebriates for the forty-ninth and fiftieth fiscal years.

Referred to Committee on State Hospitals and Asylums.

By Mr. Breiling: Assembly Bill No. 111—An Act to protect public health by abating certain nuisances within the corporate limits of cities, and declaring the expense of such abatement a lien upon the premises, and providing for their sale in satisfaction thereof; and otherwise providing for the pains and penalties for the continuation of such nuisances.

Referred to Committee on Public Health and Quarantine.

By Mr. Dennery: Assembly Bill No. 112—An Act prohibiting the sending of minors into saloons and places of ill-repute, and fixing the penalty therefor.

Referred to Committee on Public Morals.

By Mr. Harris: Assembly Bill No. 113—An Act to repeal Section 415 of the Political Code of California, relative to the translation of the laws into Spanish, and their distribution.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 114—An Act to provide for the publication of the State Blue Book.

Referred to Committee on Ways and Means.

By Mr. Goff: Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to Section eight (8) of Article one (I) of the Constitution of the State of California, relative to grand juries.

Referred to Committee on Constitutional Amendments.

By Mr. Cross: Assembly Bill No. 115—An Act regulating detectives and detective agencies.

Referred to Committee on Judiciary.

By Mr. Hudson: Assembly Bill No. 116—An Act to provide for the government and organization of road districts.

Referred to Committee on Roads and Highways.

By Mr. Goodhue: Assembly Bill No. 117—An Act to amend Sections 1577, 1579, and 1581 of the Political Code, relative to school laws.

Referred to Committee on Education.

By Mr. Melick: Assembly Bill No. 118—An Act making an appropriation to pay the claim of the Evening Express Company of Los Angeles, California.

Referred to Committee on Claims.

By Mr. Wright: Assembly Bill No. 119—An Act authorizing certain corporations to loan and invest money, and regulating the same.

Referred to Committee on Corporations.

Also: Assembly Bill No. 120—An Act to provide additional support and maintenance, and for the acquisition of necessary property and

improvements for the University of California, by the levy of a rate of taxation, and the creation of a fund therefor.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 121—An Act to create and regulate, in any city, or city and county, in this State, public warehouses other than warehouses for the storage of grain or wool, and to enforce warehouse liens.

Referred to Committee on Judiciary.

By Mr. Waymire: Assembly Bill No. 122—An Act to amend Section 427 of the Civil Code, in relation to insurance.

Referred to Committee on Corporations.

Also: Assembly Bill No. 123—An Act to amend Section 634 of the Political Code, in relation to insurance.

Referred to Committee on Corporations.

Also: Assembly Bill No. 124—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to powers of the board of trustees of certain cities.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 125—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered Section 1641, relating to the settlement of accounts of executors and administrators.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 126—An Act to amend Section 1880 of the Code of Civil Procedure of the State of California, relating to witnesses.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 127—An Act to regulate medical practice to prevent blindness in infants.

Referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 128—An Act to enable any county, city and county, city, or town to lease property to associations of ex-soldiers and sailors.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 129—An Act to amend Section 634 of the Political Code, in relation to insurance.

Referred to Committee on Corporations.

Also: Assembly Bill No. 130—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891, relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance, and corporations hereafter to be formed to conduct such insurance.

Referred to Committee on Corporations.

By Mr. Ennis: Assembly Bill No. 131—An Act to pay the claim of Mrs. Sarah H. Wing against the State of California, and making an appropriation therefor.

Referred to Committee on Claims.

Also: Assembly Bill No. 132—An Act to authorize the erection of a sewage pumping-plant at the Folsom State Prison, and making an appropriation therefor.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 133—An Act authorizing the State Board of Prison Directors to purchase additional machinery for the rock-crushing plant at the Folsom State Prison, and making an appropriation therefor.

Referred to Committee on Ways and Means.

By Mr. Cutter: Assembly Bill No. 134—An Act to amend 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, relating to the office of Commissioner of Public Works.

Referred to Committee on Labor and Capital.

By Mr. Treacy: Assembly Bill No. 135—An Act to amend Section 5 of "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," approved March 27, 1895.

Referred to Committee on Municipal Corporations.

By Mr. Anderson: Assembly Bill No. 136—An Act to amend the Political Code by creating a new section, entitled 626*j*, relating to protecting wild game.

Referred to Committee on Fish and Game.

By Mr. Power, of San Francisco: Assembly Bill No. 137—An Act to provide for a bond for the protection of laborers upon public work.

Referred to Committee on Labor and Capital.

By Mr. Guy: Assembly Bill No. 138—An Act entitled "An Act to amend Section 2003 of the Political Code."

Referred to Committee on Military Affairs.

By Mr. Dennery: Assembly Bill No. 139—An Act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof.

Referred to San Francisco Delegation.

By Mr. Belshaw: Assembly Bill No. 140—An Act to amend Sections 237, 245, 246, and 268 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

Referred to Committee on Retrenchment.

By Mr. Jones: Assembly Bill No. 141—An Act to regulate the profession and provide for the registration of public accountants.

Referred to Committee on Judiciary.

By Mr. Houghton: Assembly Bill No. 142—An Act to provide for the incorporation of municipal fire insurance companies, and define the powers and duties.

Referred to Committee on Corporations.

By Mr. Dibble: Assembly Bill No. 143—An Act to re-appropriate $125,000 for the erection of buildings for the use of affiliated and other departments of the University of California, in San Francisco.

Referred to Committee on Public Buildings and Grounds.

RESOLUTION.

By Mr. Bridgford:

Resolved, That the Sergeant-at-Arms be and is hereby instructed to see that this Assembly Chamber is kept at a proper temperature.

Adopted.

LEAVE OF ABSENCE.

Messrs. Cutter, Robinson, Power, and Fontana were granted leave of absence for the remainder of the week.

APPOINTMENTS BY SPEAKER.

The Speaker announced the appointment of the following:

Page to Sergeant-at-Arms—Edward Stack.
Page of Assembly—Donaldo Bruce.

RECESS.

At eleven o'clock and twenty-three minutes A. M., on motion of Mr. Emmons, the Assembly took a recess until three o'clock P. M.

REASSEMBLED.

The Assembly reassembled at three o'clock and twenty minutes P. M. Speaker Coombs in the chair.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 7, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 7th day of January, adopted the following:
Assembly Joint Resolution No. 6—Relative to the Powers-Gear Funding Bill.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

MOTIONS.

Mr. Belshaw moved that Rule IX be suspended.
So ordered.
Mr. Belshaw moved that Assembly Joint Resolution No. 6 be immediately transmitted to the Governor.
So ordered.

RESOLUTION.

By Mr. Belshaw:

Resolved, That the sum of $200 be and the same is hereby appropriated out of the Contingent Fund of the Assembly for the purpose of defraying the expense of telegraphing to the California congressional delegation at Washington Assembly Joint Resolution No. 6, and the Controller is hereby authorized and directed to draw his warrant for the same.

Adopted.

ASSEMBLY JOINT RESOLUTION No. 8.

By Mr. Caminetti:

WHEREAS, There is now pending in the Congress of the United States the California Mineral Lands Bill; and
WHEREAS, The speedy enactment thereof is a matter of vital importance to California; therefore, be it
Resolved, That our Senators be instructed, and our Representatives in Congress be requested, to use all honorable means to secure the passage of the same; be it further
Resolved, That the Governor transmit a copy of this resolution to each of our Senators and Representatives.

MOTION.

Mr. Caminetti moved that Rule IX be suspended, and Assembly Joint Resolution No. 8 be now considered.
So ordered.

Assembly Joint Resolution No. 8 was now considered, and the same adopted.

LEAVE OF ABSENCE.

Mr. Burnham was granted leave of absence for the remainder of the day.

INTRODUCTION OF BILLS.

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

By Mr. Mead: Assembly Bill No. 144—An Act to secure the payment of the claims of materialmen, mechanics, or laborers employed by contractors upon State, municipal, or other public work.

Referred to Committee on Municipal Corporations.

By Mr. Bridgford: Assemby Bill No. 145—An Act to legalize certain acknowledgments of instruments affecting real estate.

Referred to Committee on Judiciary.

By Mr. Price: Assembly Bill No. 146—An Act providing for the dissolution of certain corporations doing a banking business.

Referred to Committee on Corporations.

By Mr. Lacy: Assembly Bill No. 147—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.

Referred to Committee on Public Buildings and Grounds.

By Mr. Cross: Assembly Bill No. 148—An Act to add a new section to the Civil Code, to be known as Section 2949, relating to the sale and redemption of property sold under power of mortgages and trust deeds.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 149—An Act to amend Section 702 of the Code of Civil Procedure, relating to redemption of property sold under judgment.

Referred to Committee on Judiciary.

By Mr. Malcolm: Assembly Bill No. 150—An Act to define the duties and liabilities of employment agents.

Referred to Committee on Labor and Capital.

APPOINTMENTS BY SPEAKER.

The Speaker announced the following appointments:

Ralph Cross, Page, at a per diem of $3.
Edward A. Morse, Assistant Clerk at desk, at a per diem of $8.
J. B. Wilson, Special Night Watchman, at a per diem of $4.

REPORT OF COMMITTEE ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1897.

MR. SPEAKER: Your committee appointed for the purpose of ascertaining 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 the Assembly during this, the thirty-second session, for services rendered in the organization of the Assembly, would respectfully report upon the same and recommend the adoption of the following resolutions, viz.:

Resolved, That the Controller of State be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following-named members of the Assembly, and for the amounts set opposite to each of their names, and the Treasurer of State is hereby directed and ordered to pay the same:

MEMBERS.

District.	Name and Residence.	Miles.	Amount.
1	W. Strain, Crescent City, Del Norte County	752	$75 20
2	A. W. Hill, Eureka, Humboldt County	624	62 40
3	E. D Damon, Port Kenyon, Humboldt County	624	62 40
4	F. Houghton, Corning, Tehama County	360	36 00
5	T. W. H. Shanahan, Anderson, Shasta County	254	25 40
6	F. D. Soward, Downieville, Sierra County	238	23 80
7	F. R. Stansell, Nelson, Butte County	166	16 60
8	W. M. Cutter, Marysville, Yuba County	104	10 40
9	J. B. Sanford, Point Arena, Mendocino County	520	52 00
10	E. A. Bridgford, Colusa, Colusa County	160	16 00
11	A. W. North, Winters, Yolo County	124	12 40
12	W. S. Robinson, Grass Valley, Nevada County	168	16 80
13	H. T. Power, Auburn, Placer County	138	13 80
14	G. H. Burnham, Placerville, El Dorado County	122	12 20
15	A. Caminetti, Jackson, Amador County	118	11 80
16	W. F. Price, Forestville, Sonoma County	314	31 00
17	J. W. Keegan, Santa Rosa, Sonoma County	282	28 40
18	F. L. Coombs, Napa City, Napa County	122	12 20
19	A. Anderson, Suisun, Solano County	80	8 20
20	W. M. Sims, Sacramento, Sacramento County	2	20
21	Scott F. Ennis, Sacramento, Sacramento County	2	20
22	L. M. Landsborough, Florin, Sacramento County	18	1 80
23	M. Canavan, San Rafael, Marin County	192	19 20
24	C. M. Belshaw, Antioch, Contra Costa County	218	21 80
25	A. L Foreman, Stockton, San Joaquin County	96	9 60
26	C. W. Austin, Farmington, San Joaquin County	134	13 40
27	C. D. Fontana, Copperopolis, Calaveras County	184	18 40
28	E. F. Lacy, San Francisco	168	16 80
29	John Allen, San Francisco	168	16 80
30	H. M. Kelly, San Francisco	168	16 80
31	T. E. Treacy, San Francisco	168	16 80
32	J. W. Power, San Francisco	168	16 80
33	G. B. Godfrey, San Francisco	168	16 80
34	F. Mahoney, San Francisco	168	16 80
35	L. J. Dolan, San Francisco	168	16 80
36	H. McGrath, San Francisco	168	16 80
37	H. I. Mulcrevy, San Francisco	168	16 80
38	Gustave Pohlman, San Francisco	168	16 80
39	L. E. Jones, San Francisco	168	16 80
40	S. M. Bettman, San Francisco	168	16 80
41	H. C. Dibble, San Francisco	168	16 80
42	L. A. Henry, San Francisco	168	16 80
43	Leon Dennery, San Francisco	168	16 80
44	E. S. Ryan, San Francisco	168	16 80
45	W. H. Gately, San Francisco	168	16 80
46	J. W. Clarke, Niles, Alameda County	264	26 40
47	J. A. Waymire, Alameda, Alameda County	192	19 20
48	F. W. Leavitt, Oakland, Alameda County	182	18 20
49	O. F. Breiling, Oakland, Alameda County	182	18 20
50	H. H. North, Oakland, Alameda County	182	18 20
51	H. E. Wright, Berkeley, Alameda County	182	18 20
52	S. G. Goodhue, San Mateo, San Mateo County	210	21 00
53	F. Aldridge, Corralitos, Santa Cruz County	450	45 00
54	N. E. Malcolm, Palo Alto, Santa Clara County	234	23 40
55	J. J. McLaurin, San José, Santa Clara County	256	25 60
56	M. E. Arnerich, Frohm, Santa Clara County	282	28 20
57	J. G. Elliott, Merced, Merced County	228	22 80
58	T. G. McCandlish, Coulterville, Mariposa County	312	31 20
59	C. F. Rubell, Bitter Water, San Benito County	522	52 20
60	T. A. Keables, Bodie, Mono County	682	68 20
61	W. G. Hudson, Pajaro, Monterey County	450	45 00
62	G. W. Cartwright, Malaga, Fresno County	346	34 60
63	L. W. Moultrie, Fresno, Fresno County	338	33 80
64	J. M. McClellan, Hanford, Kings County	422	42 20
65	W. P. Boone, Dinuba, Tulare County	422	42 20
66	E. J. Emmons, Bakersfield, Kern County	556	55 60
67	J. K. Burnett, Paso Robles, San Louis Obispo	646	64 60
68	L. Harris, Los Alamos, Santa Barbara County	888	88 80
69	T. O. Toland, Ventura, Ventura County	986	98 60
70	W. S. Melick, Lancaster, Los Angeles County	881	88 10
71	J. O. Vosburg, Sierra Madre, Los Angeles County	982	98 20
72	B C Kenyon, Long Beach, Los Angeles County	1,020	102 00
73	W. Mead, Los Angeles, Los Angeles County	956	95 60

REPORT OF COMMITTEE ON MILEAGE — *Continued.*

District	Name and Residence	Miles.	Amount.
74	L. H. Valentine, Los Angeles, Los Angeles County	956	$95 60
75	John Cross, Los Angeles, Los Angeles County	956	95 60
76	H. W Chynoweth, Anaheim, Orange County	1,008	100 80
77	F T Lindenberger, Winchester, Riverside County	1,244	124 40
78	T. H. Goff, San Bernardino, San Bernardino County	1,176	117 60
79	W. R. Guy, San Diego, San Diego County	1,234	123 40
80	J. L. Dryden, National City, San Diego County	1,242	124 20

Also: That the Controller be and he is hereby directed and authorized to draw his warrant, payable out of the appropriation 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:

S. J. Duckworth, Chief Clerk—mileage	$43 20
Geo. C. Parkinson, Sergeant-at-Arms—mileage and per diem	72 80
R. Q. Wickham, Minute Clerk—mileage	102 60
W. N. Lamphrey, Assistant Sergeant-at-Arms—mileage	20
Andrew Branch, Assistant Clerk—mileage and per diem	72 80
John Varcoe, Assistant Clerk—mileage	25 60
Joe Brooks, Assistant Clerk—per diem and mileage	24 80
Grant Towle, Assistant Clerk—per diem	56 00
C Ewing, Assistant Clerk—per diem	56 00
E J. Smith, Assistant Clerk—per diem and mileage	72 80
Geo. North, Assistant Clerk—per diem	56 00
W. P. McLean, Assistant Clerk—per diem	56 00
C. W Kyle, Assistant Clerk—per diem	56 00
J. L Martin, Assistant Clerk—per diem	56 00
Edward Allen, Assistant Sergeant-at-Arms—per diem	42 00
Geo. W. Lewis, Assistant Sergeant-at-Arms—per diem	42 00
A. M. Austin, Assistant Sergeant-at-Arms—per diem	42 00
H. A. Jackson, Assistant Sergeant-at-Arms—per diem	42 00
James Devitt, Assistant Sergeant-at-Arms—per diem	42 00
J. Hocking, Clerk to Sergeant-at-Arms—per diem and mileage	173 60
R. Nixon, Jr., Assistant Minute Clerk—per diem and mileage	36 50
F. C. Smyth, Assistant Minute Clerk—per diem	56 00
James Bowen, Assistant Minute Clerk—per diem	56 00
R. M. Richardson, Assistant Minute Clerk—per diem	56 00
Frank H Lombard, Assistant Minute Clerk—per diem and mileage	72 80
C. H. Rodriguez, Assistant Minute Clerk—per diem	56 00
A. L. Fisher, Journal Clerk—per diem and mileage	72 80
E. S. Gridley, Assistant Journal Clerk—per diem	56 00
A S. Vischer, Assistant Journal Clerk—per diem	56 00
J M. Oliver, Assistant Journal Clerk—per diem	8 00
M. J. Flynn, Assistant Journal Clerk—per diem	56 00
T. E Atkinson, Engrossing Clerk—per diem and mileage	72 80
M. A Kearney, Assistant Engrossing Clerk—per diem	56 00
Frank Barnett, Assistant Engrossing Clerk—per diem	8 00
David Gibson, Assistant Engrossing Clerk—per diem	56 00
W. S. Kingsbury, Assistant Engrossing Clerk—per diem	56 00
H. Hall, Assistant Engrossing Clerk—per diem	56 00
J. C Collins, Assistant Engrossing Clerk—per diem	56 00
Ella Bateman, Assistant Engrossing Clerk—per diem	56 00
H A Kidder, Enrolling Clerk—per diem and mileage	56 20
H. Friedman, Assistant Enrolling Clerk—per diem	56 00
M. Estudillo, Assistant Enrolling Clerk—per diem	8 00
N. G Duckworth, Assistant Enrolling Clerk—per diem	56 00
W. J. Harrington, Assistant Enrolling Clerk—per diem	56 00
W S. Staley, Assistant Enrolling Clerk—per diem	56 00
Miss Carrie Brown, Postmistress—per diem and mileage	47 00
Miss Eva McKay, Assistant Postmistress—per diem and mileage	35 40
Clark Alberti, History Clerk—per diem	8 00
A Gunzendorfer, Assistant History Clerk—per diem	56 00
W. Levison, Assistant History Clerk—per diem and mileage	24 80
Ed. Sweeney, Porter—per diem	28 00
H Marks, Porter—per diem	28 00
G. W. Ashley, Porter—per diem	28 00
J. Todd, Porter—per diem	28 00
I. D Sloss, Porter—per diem	28 00
Henry Boren, Porter—per diem	28 00
I. Erb, Porter—per diem	8 00
J. P. Devine, Porter—per diem	28 00
James Kidney, Porter—per diem	28 00
John Wilkins, Porter—per diem	28 00

Gus Kelly, Porter—per diem and mileage	$46 20
E. M. Brock, Porter—per diem	28 00
Ben Martin, Porter—per diem	28 00
J. Kofod, Porter to Sergeant-at-Arms—per diem	4 00
Jay Cummings, Bookkeeper to Sergeant-at-Arms—per diem	56 00
A. A. Friedlander, Bill Clerk—per diem and mileage	51 80
Robt. Burns, Bill Clerk—per diem	35 00
W. Bullock, Bill Clerk—per diem	35 00
G. E. Dixon, Bill Clerk—per diem	35 00
S. Voorsanger, Bill Clerk—per diem	35 00
H. H. Schwarheke, Bill Clerk—per diem	35 00
J. Cramer, Coatroom Porter—per diem and mileage	51 80
M. Aronson, Cloakroom Porter—per diem	35 00
Wesley Dixon, Cloakroom Porter—per diem	28 00
Rev. J. Sims, Chaplain—per diem	35 00
E. Sheridan, File Clerk—per diem	28 00
W. J. Keating, File Clerk—per diem	28 00
S. H. Wilson, File Clerk—per diem	28 00
J. C. Williams, File Clerk—per diem	35 00
J. E. Gross, File Clerk—per diem	4 00
H. D. Pohlman, File Clerk—per diem	5 00
James Kane, Mail Carrier—per diem and mileage	51 80
Mrs. Wm. Sampson, Janitress in ladies' waiting-room—per diem	28 00
S. Adams, Doorkeeper—per diem	28 00
T. J. Smith, Doorkeeper—per diem	28 00
R. Blakeson, Doorkeeper—per diem	28 00
J. Massie, Doorkeeper—per diem	28 00
John Wise, Doorkeeper—per diem	28 00
J. Smith, Watchman—per diem	28 00
W. Bowles, Watchman—per diem	28 00
L. Wintringer, Watchman—per diem	28 00
C. J. Parmanter, Watchman—per diem	28 00
M. Gratz, Watchman—per diem	28 00
Chas. Forbes, Watchman—per diem	28 00
W. H. Rice, Watchman—per diem	8 00
Roy Byron, Page—per diem	21 00
W. Hopkins, Page—per diem	21 00
Harry Varcoe, Page—per diem	21 00
D. Bruce, Page—per diem	21 00
Clarence Cogle, Page—per diem	21 00
F. Smith, Page—per diem	21 00
Edgar Stack, Page—per diem	21 00
Frank Newman, Page—per diem	21 00
A. H. Smith, Page—per diem	21 00
Wm. Lynch, Elevator Attendant—per diem	21 00
R. Wolf, Elevator Attendant—per diem	21 00
E. B. Lindley, Messenger to State Printer—per diem	35 00
T. W. Measure, Electrician—per diem	35 00
R. A. White, Gatekeeper—per diem	28 00
W. S. Reyner, Gatekeeper—per diem	4 00
Walter Howard, Page—per diem	21 00
W. C. Dorsey, Page—per diem	21 00
C. McLean, Page—per diem	21 00
Delos Curtis, Doorkeeper—per diem	28 00
S. F. King, Porter—per diem	28 00
Miss M. Bertola, Assistant History Clerk—per diem	35 00

Your committee will further add that, after considerable time and labor, the foregoing report is respectfully submitted.

BREILING, Chairman.

MOTIONS.

Mr. Bridgford moved that all mileage to any officers, except statutory officers, be stricken from the report.

Mr. Belshaw moved to amend by striking out the mileage for the following, leaving the amounts as follows:

Joe Brooks	$8 00
E. J. Smith	56 00
F. H. Lombard	56 00
W. Levison	8 00
A. A. Freidlander	35 00
J. Cramer	35 00

The substitute was accepted by Mr. Bridgford.

Lost.

The question now being upon the adoption of the report of the committee. The same was adopted.

Mr. Dibble moved that the rules be suspended, and when the House does adjourn that it adjourn until twelve o'clock M. to-morrow.

So ordered.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 8, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Canavan, Chynoweth, Clarke, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Yolo, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Stansell, Strain, Toland, Valentine, Vosburg, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

LEAVE OF ABSENCE.

Messrs. Anderson, Burnett, Burnham, Caminetti, Canavan, Cartwright, Clark, Cross, Cutter, Fontana, Goodhue, Henry, Moultrie, North of Alameda, Pohlman, Sims, Shanahan, Soward, Treacy, and Waymire were granted leave of absence for remainder of day, on motion of Mr. Dibble.

READING OF THE JOURNAL.

During the reading of the Journal of yesterday, Mr. Bettman moved that the further reading be dispensed with.

So ordered.

RESOLUTION.

By Mr. Keables, of the Sixtieth Assembly District:

WHEREAS, We have learned with profound regret of the death of the Hon. Cyrus Coleman, late Assemblyman from the Sixtieth Assembly District; and

WHEREAS, As a member of the Assembly in the nineteenth, twenty-third, twenty-fourth, twenty-eighth, and thirty-first sessions, and as such distinguished himself not only to his own immediate constituency, but to the people of the whole State, as a wise legislator, a faithful and incorruptible public servant, and as such his name was honored and respected wherever known; and

WHEREAS, We believe that such a citizen, and such a life of devotion to public service and personal integrity, is deserving of recognition and just tribute; therefore, be it

Resolved, That in the death of the Hon Cyrus Coleman the State of California has lost one of her most industrious and public-spirited citizens, the Sixtieth Assembly District a faithful and earnest representative, and the county of Alpine a firm, devoted, and unswerving friend; and be it further

Resolved, That when the Assembly adjourn, it adjourn in respect to his memory.

MOTION.

Mr. Keables moved that the consideration of his resolution be made special order for Monday, immediately after the reading of the Journal.

So ordered.

APPOINTMENTS BY SPEAKER.

The Speaker announced the following appointments:

Porter—Henry Colgan.
Page—Albert Elliott.

INTRODUCTION OF BILLS.

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

By Mr. Dibble: Assembly Bill No. 151—An Act to provide the mode for changing grades of public streets, lanes, alleys, courts, and places within the municipalities in the State of California.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 152—An Act to amend Section 529 of Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public printing.

Referred to Committee on Rules.

By Mr. Hill: Assembly Bill No. 153—An Act to amend Section 2 of "An Act to authorize the Boards of Supervisors of the several counties of this State to transfer certain funds," approved April 23, 1880.

Referred to Committee on County and Township Governments.

By Mr. Sanford: Assembly Bill No. 154—An Act to pay the claim of George A. Sturtevant for services rendered as District Attorney of Mendocino County in foreclosing certificates of purchase of State school lands, and appropriating money to pay the same.

Referred to Committee on Claims.

By Mr. Strain: Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to Section 1 of Article XIII of the Constitution, in relation to revenue and taxation.

Referred to Committee on Constitutional Amendments.

By Mr. Elliott: Assembly Bill No. 155—An Act to amend Section 1121 of the Penal Code, relative to jurors in criminal courts.

Referred to Committee on Judiciary.

By Mr. Bridgford: Assembly Bill No. 156—An Act making an appropriation to pay claim of Ernest Weyand, District Attorney of Colusa County, California, for moneys expended in behalf of the State of California, for foreclosing State school lands in Colusa County, State of California.

Referred to Committee on Education.

By Mr. Lindenberger: Assembly Bill No. 157—An Act to regulate the width of tires of wagons to be used on the public highways of the State of California.

Referred to Committee on Roads and Highways.

By Mr. Ryan: Assembly Bill No. 158—An Act to authorize and require the State Board of Harbor Commissioners to commence and complete the construction of a certain portion of the seawall of the port of San Francisco.

Referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 159—An Act to pay the claim of William

M. Sullivan against the State of California, and making an appropriation therefor.

Referred to Committee on Claims.

Also: Assembly Bill No. 160—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

Referred to Committee on Claims.

Also: Assembly Bill No. 161—An Act to pay the claim of William H. Donnelly against the State of California, and making an appropriation therefor.

Referred to Committee on Claims.

By Mr. Guy: Assembly Bill No. 162—An Act to amend an Act entitled "An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the place of use," approved March 12, 1885, by inserting a new section therein, relating to contracts for the sale, rental, and distribution of water, and the sale or rental of easements and servitudes of the right to the flow and use of water.

Referred to Committee on Irrigation.

By Mr. Mead: Assembly Bill No. 163—An Act to provide for the adoption of children maintained in any orphan asylum or orphans' home in this State.

Referred to Committee on State Hospitals and Asylums.

MOTION.

Mr. Dibble moved that the rules be suspended, and that when the Assembly does adjourn, it be until twelve o'clock M. on Monday.

So ordered.

ADJOURNMENT.

At twelve o'clock and twenty-nine minutes P. M., on motion of Mr. Dibble, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 11, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Burnham, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

The reading of the Journal of Friday, by unanimous consent, was dispensed with.

LEAVE OF ABSENCE.

Mr. Bridgford was granted leave of absence for the day.

CORRECTION OF JOURNAL.

Mr. Guy moved that the vote by which the Journal of January 5th was approved be reconsidered.

So ordered.

Mr. Guy moved that the Journal of January 5th, page 7, be amended:

So that line 30 will read, A. A. Rutland, Assistant Engrossing Clerk, $8; instead of "A. A. Rutland, Bill Clerk, $8."

So that line 31 will read, William Ryan, Assistant Enrolling Clerk, $8; instead of "Wm. Ryan, File Clerk, $8."

So that line 37 will read, H. S. Adney, Assistant Journal Clerk, $8; instead of "H. S. Adney, Doorkeeper, $8."

And also that the word "History" be stricken from line 33.

Adopted.

APPROVAL OF JOURNAL.

The Journal of January 5th, as amended, was now approved.

TELEGRAMS.

The Speaker read the following telegram:

WASHINGTON, D. C., January 11, 1897.

To HON. F. L. COOMBS, *Speaker, and Members of Assembly, Sacramento*:

Funding bill defeated in House by majority of sixty-six.

GEORGE C. PERKINS.

Mr. Belshaw read a telegram from Congressman Hilborn, bearing the same information.

SPECIAL ORDER.

Mr. Keables called for the consideration of the following resolution, which was made special order for this hour:

WHEREAS, We have learned with profound regret of the death of the Hon. Cyrus Coleman, late Assemblyman from the Sixtieth Assembly District; and

WHEREAS, As a member of the Assembly in the nineteenth, twenty-third, twenty-fourth, twenty-eighth, and thirty-first sessions, and as such distinguished himself not only to his own immediate constituency, but to the people of the whole State, as a wise legislator, a faithful and incorruptible public servant, and as such his name was honored and respected wherever known; and

WHEREAS, We believe that such a citizen, and such a life of devotion to public service and personal integrity, is deserving of recognition and just tribute; therefore, be it

Resolved, That in the death of the Hon. Cyrus Coleman the State of California has lost one of her most industrious and public-spirited citizens, the Sixtieth Assembly District a faithful and earnest representative, and the county of Alpine a firm, devoted, and unswerving friend; and be it further

Resolved, That when the Assembly adjourn, it adjourn in respect to his memory.

Adopted by rising vote.

Mr. Keables moved that the resolution be properly engrossed and a copy, duly certified, forwarded to the Board of Supervisors of Alpine County.

So ordered.

RESOLUTION.

By Mr. Chynoweth:

WHEREAS, Since the adjournment of the thirty-first session of the Legislature of the State of California, death has removed from us the Hon. Spencer G. Millard, Lieutenant-Governor of the State of California; and

WHEREAS, He was always a man true to the highest principles of manhood; a citizen loyal in thought and deed to the best interests of his country, and in public and private life a true friend and model citizen; therefore, be it

Resolved, That in his death the State of California has lost a valuable public servant and his fellow citizens a true and loyal champion of their interests and welfare; and be it further

Resolved, That when the Assembly adjourn it adjourn out of respect to his memory; and further

Resolved, That the Clerk of the Assembly be and he is hereby instructed to send a copy of these resolutions, properly engrossed, to the family of the deceased.

MOTION.

Mr. Chynoweth moved that the rules be suspended and the resolution considered immediately.

So ordered.

The resolution was duly considered, and the same unanimously adopted by a rising vote.

RECESS.

At twelve o'clock and thirty minutes P. M., on motion of Mr. Dibble the Assembly took a recess until three o'clock P. M.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

APPOINTMENT OF STANDING COMMITTEES.

The Speaker announced the appointment of the following Standing Committees:

Agriculture—Messrs. Price, Arnerich, Austin, Damon, Vosburg, McClellan, Houghton, Aldridge.

Attachés and Employés—Messrs Vosburg, Hudson, Damon, Landsborough, Keegan.

Banks and Banking—Messrs. Hill, Wright, Pohlman, Hudson, Elliott, Bridgford, Ryan.

Claims—Messrs. Belshaw, Pohlman, Kenyon, Cross, Dolan, Power of San Francisco, Lacy.

Constitutional Amendments—Messrs. Sims, Cutter, Power of Placer, Robinson, Houghton, Cartwright, Elliott.

Commerce and Navigation—Messrs. Pohlman, Canavan, Price, Goodhue, Jones, Guy, Harris, Godfrey, Ryan, Power of San Francisco, Gately.

Corporations—Messrs. Cutter, Kenyon, Jones, Goff, Harris, Cross, Ryan, Mead, Toland.

Counties and County Boundaries—Messrs. Hudson, Fontana, Strain, Burnham, Austin, Breiling, Gately, Lacy, McGrath.

County and Township Governments—Messrs. Burnham, Austin, Soward, Clarke, Chynoweth, Anderson, Keables, Fontana, Emmons, McClellan, Caminetti, Moultrie, Boone.

Crimes and Penalties—Messrs. Power of Placer, Keables, Chynoweth, Hill, Cartwright, Gately, Boone.

Contested Elections—Messrs. Kenyon, Kelly, Leavitt, Ennis, Price, Emmons, McGrath.

Election Laws—Messrs. North of Alameda, Dibble, Strain, Bettman, Wright, Mead, Lacy.

Education—Messrs. Robinson, Clarke, North of Yolo, Belshaw, Lindenberger, Wright, Sanford, Toland, Rubell.

Engrossment—Messrs. Austin, Leavitt, Pohlman, Mulcrevy, Aldridge.

Enrollment—Messrs. Fontana, Henry, Clarke, Mulcrevy, Landsborough.

Fruit and Vine Interests—Messrs. Anderson, Stansell, Arnerich, Lindenberger, Melick, Chynoweth, Lacy, Keegan, Aldridge.

Fish and Game—Messrs. Strain, Vosburg, Anderson, Power of Placer, Belshaw, Damon, Toland, Houghton, Gately.

Federal Relations—Messrs. Goodhue, Kelly, Damon, Dryden, Emmons.

Homesteads and Land Monopoly—Messrs. Goff, Hudson, Austin, Fontana, Robinson, Rubell, Aldridge.

Irrigation—Messrs. Lindenberger, Melick, Goff, Stansell, Waymire, Power of Placer, Bridgford, Boone, Elliott.

Judiciary—Messrs. Waymire, Valentine, Dibble, Hill, Cutter, Guy, Soward, Sims, Chynoweth, Malcolm, North of Alameda, Stansell, Shanahan, Bridgford, Caminetti, Moultrie, Boone, Emmons, Toland, Dryden, Mead.

Labor and Capital—Messrs. Dennery, Malcolm, Strain, Canavan, Robinson, Bettman, Kelly, Henry, Sanford, Mahoney, Toland, Mead, Dolan, Landsborough, Rubell.

Manufactures and Internal Improvements—Messrs. Henry, Valentine, Dennery, Arnerich, Goodhue, Hudson, Allen, Treacy, Foreman.

Mileage—Messrs. Breiling, Guy, Belshaw, Treacy, Burnett.

Military Affairs—Messrs Cross, Goff, Jones, Power of Placer, Waymire, Godfrey, McLaurin, McClellan, Mahoney.

Mines and Mining Interests—Messrs. Soward, Strain, Robinson, Power of Placer, Fontana, Burnham, Chynoweth, Shanahan, Caminetti, Mahoney, McCandlish.

Municipal Corporations—Messrs. Valentine, Hill, Soward, Harris, Bettman, Cutter, North of Alameda, Mead, Moultrie, McGrath, McLaurin.

Public Health and Quarantine—Messrs. Keables, Kelly, Henry, Jones, Breiling, Allen, Mahoney.

Public Buildings and Grounds—Messrs. Wright, Malcolm, Jones, North of Yolo, Arnerich, Harris, Kelly, Ennis, Goff, Lacy, Allen, Treacy, Godfrey.

Public Lands and Forestry—Messrs. Harris, Melick, Damon, Power of Placer, Robinson, Henry, Cartwright, McCandlish, Dolan

Public Morals—Messrs. Bettman, Cutter, Harris, Goff, Power of San Francisco, Ryan, Allen.

Public Printing—Messrs. Leavitt, Price, Dennery, Ennis, Mulcrevy, McGrath, Toland.

Commissions, Retrenchment, and Public Expenditures—Messrs. Melick, Stansell, Hill, North of Yolo, Anderson, Burnham, Dryden, Burnett, Foreman.

Roads and Highways—Messrs. Clarke, Ennis, Melick, Hudson, Fontana, Power of Placer, Anderson, Goodhue, Harris, Caminetti, McLaurin, McCandlish, McClellan, Houghton, Shanahan.

Revision of Codes and Statutes—Messrs. Dibble, Waymire, North of Alameda, Valentine, Caminetti, Bridgford, Shanahan.

Rules and Regulations—Messrs. Chynoweth, Dibble, North of Alameda, Dolan, McClellan, Caminetti.

Public Works, State Capitol, and Parks—Messrs. Ennis, Soward, North of Alameda, Strain, Robinson, Canavan, Dennery, Caminetti, Foreman, Ryan

State Hospitals and Asylums—Messrs Malcolm, Henry, Price, Lindenberger, Vosburg, Austin, Power of San Francisco, Sanford, Keegan.

State Library—Messrs Stansell, Pohlman, Cross, McLaurin, Burnett.

State Prisons and Reformatory Institutions—Messrs. Canavan, Ennis, Fontana, Breiling, Kenyon, Kelly, Rubell, McGrath, Treacy

Swamp and Overflowed Lands, and River Improvements—Messrs. North of Yolo, Cutter, Austin, Henry, Keables, Sims, Cartwright, Keegan, Caminetti

Ways and Means—Messrs. Guy, Dennery, Sims, Leavitt, Belshaw, Goff, Arnerich, Stansell, Damon, North of Yolo, Vosburg, Mulcrevy, Burnett, Sanford, Moultrie.

COMMUNICATION.

SACRAMENTO, CAL., January 9, 1897.

HON. C. F RUBELL, *Sacramento*:

MY DEAR SIR: The California State Poultry Association hereby invites your honorable body to visit our exhibition on Monday next.

Sincerely yours,

J. A. SCHOLEFIELD, President.
E. A. NOYES, Vice-President.

MOTION.

Mr. Rubell moved that the invitation be accepted, and as many as possible attend.

So ordered.

LEAVE OF ABSENCE.

Mr. Caminetti was granted leave of absence for the day.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 11, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 11th day of January, adopted the following:

Senate Concurrent Resolution No. 1—Relative to joint convention for the election of State Library Trustees.

Also: Senate Joint Resolution No. 3—Relative to protection of the beet-sugar industry.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

SENATE CONCURRENT RESOLUTION No. 1.

Relative to joint convention for the election of State Library Trustees.

Resolved by the Senate, the Assembly concurring, That the two houses meet in joint convention in the Assembly Chamber at twelve o'clock M., Wednesday, February 3, 1897, for the purpose of electing five Trustees of the State Library, to fill the vacancies which will occur by the expiration of the terms of W. S. Green, E. E Leake, M. Gardner, F. T. Baldwin, and Peter J. Shields.

AMENDMENT.

Mr. Sims moved to amend by striking out of lines three and four the words Wednesday, February 3, 1897, and inserting the following: Thursday, January 21, 1897.

Amendment adopted.

Senate Concurrent Resolution No. 1, as amended, adopted.

SENATE JOINT RESOLUTION No. 3.

Relative to protection of beet-sugar industry.

WHEREAS, Under the encouragement given to the beet-sugar industry by the McKinley Bill, the production of beet sugar in the United States increased from 12,004,838 pounds in 1892 to 45,191,296 pounds in 1894, and the product of California alone from 8,175,438 pounds in 1892 to 35,088,969 pounds in 1894, thereby bringing thousands of dollars into the State to be distributed among the farmers, merchants, and wage-earners of this commonwealth; and

WHEREAS, A renewal of the bounty or adequate protection for the sugar interests, so that America will produce the sugar she consumes, means the addition of over one hundred million dollars annually to the income of American farmers; therefore, be it

Resolved by the Senate, the Assembly concurring, That our Senators be instructed, and our Representatives be earnestly requested, to use their best endeavors to have adequate protection to the sugar interests inserted in the new tariff bill now being prepared, and that the Secretary of the Senate be and is hereby instructed to transmit to our Senators, Representatives, and Representatives-elect a copy of these resolutions

MOTION.

Mr. Chynoweth moved that the rules be suspended and the resolution be now considered.

So ordered.

Senate Joint Resolution No. 3 was now considered.

Adopted.

RE-REFERENCE OF BILLS.

Mr. Sanford requested that Assembly Bill No. 134 be withdrawn from the Committee on Labor and Capital and re-referred to the Committee on Public Works, State Capitol, and Parks.

Also, that Assembly Bill No. 50 be withdrawn from the Committee

on Labor and Capital, and Assembly Bill No. 52 be withdrawn from the Committee on Public Buildings and Grounds, and re-referred to Committee on State Hospitals and Asylums.

Mr. Soward requested that Assembly Bill No. 26 be withdrawn from the Committee on County and Township Governments, and that Assembly Bills Nos. 27 and 28 be withdrawn from the Committee on Corporations, and re-referred to the Committee on Mines and Mining Interests.

Granted by unanimous consent.

Mr. North, of Yolo, requested that Assembly Bill No. 37 be withdrawn from the Committee on Education; also, that Assembly Bill No. 39 be withdrawn from the Committee on County and Township Governments, and both be re-referred to the Committee on Roads and Highways.

Granted by unanimous consent.

INTRODUCTION OF BILLS.

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

By Mr. North, of Alameda: Assembly Bill No. 164—An Act to amend Section 2181 of the Civil Code of California, relating to luggage.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 165—An Act to amend Section 475 of the Code of Civil Procedure of the State of California, relating to errors and defects and reversals of judgments and orders.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 166—An Act to amend Sections 1523, 1524, and 1536 of the Penal Code, relating to search warrants.

Referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 167—An Act to amend Sections 867 and 869 of the Code of Civil Procedure, relating to provisional remedies in Justices' Courts.

Referred to Committee on Judiciary.

By Mr. Wright: Assembly Constitutional Amendment No. 6—A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by adding a new section, to be known and designated as Section 7½, Article XI thereof, providing for the framing by the inhabitants of counties of local government acts for their own government.

Referred to Committee on Constitutional Amendments.

By Mr. Elliott: Assembly Bill No. 168—An Act to amend Section 1917 of the Civil Code, relative to the rate of legal interest.

Referred to Committee on Judiciary.

By Mr. Clarke: Assembly Bill No. 169—An Act providing for general primary elections 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, and for other purposes.

Referred to Committee on Election Laws.

By Mr. Dibble: Assembly Bill No. 170—An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law.

Referred to Committee on Election Laws.

Also: Assembly Bill No. 171—An Act to pay the claim of Bernard Garvey against the State of California, and making an appropriation therefor.

Referred to Committee on Claims.

By Mr. Cutter: Assembly Constitutional Amendment No. 7—Proposed amendment to Section 7 of Article XI of the Constitution, relative to cities and counties.

Referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 8—Proposition to amend Article IV of the Constitution, by adding a new section with reference to local legislation.

Referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 9—Proposition to amend Section 7 of Article I of the Constitution, relative to juries.

Referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 10—Proposed amendment to Section 5 of Article XI of the Constitution, relative to county officers and their compensation.

Referred to Committee on Constitutional Amendments.

By Mr. Shanahan: Assembly Bill No. 172—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 173—An Act to add a new section to the Penal Code of the State of California, to be known and designated as Section 180, relating to the acceptance and holding of private deposits of moneys or other valuables in the county treasuries by the County Treasurers.

Referred to Committee on Judiciary.

By Mr. Vosburg: Assembly Bill No. 174—An Act entitled "An Act to amend an Act entitled '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, by amending the title to said Act, and by amending Sections 1, 4, 7, 8, 9, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 26, 27, 28, 29, and 30 thereof, and by adding three new sections thereto, to be numbered respectively Sections 16*a*, 16*b*, and 16*c*, relating to a change in the name of the institution and the powers and duties of the public officers thereof, and the manner and conditions under which commitments may be made thereto, and of the rights and obligations of persons committed thereto, and of the powers and duties of certain public officers in connection therewith, and generally relating to the State school located and established under the aforesaid Act, and now maintained by the State of California at Whittier, in the County of Los Angeles, therein, approved March 23, 1893, by amending Sections 4, 6, 9, and 11.

Referred to Committee on State Prisons and Reformatory Institutions.

Also: Assembly Bill No. 175—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, and State of California, and to make an appropriation therefor.

Referred to Committee on State Prisons and Reformatory Institutions.

Also: Assembly Bill No. 176—An Act to amend an Act entitled "An

Act to amend an Act entitled 'An Act to protect and promote horticultural interests of the State,' " approved March 19, 1889.

Referred to Committee on Fruit and Vine Interests.

By Mr. Hudson: Assembly Bill No. 177—An Act to amend Section 1882 of the Political Code of the State of California, relating to the time bonds may be issued for.

Referred to Committee on Education.

By Mr. Kenyon: Assembly Bill No. 178—An Act to amend Sections 1204 and 1230 of the Political Code of the State of California, relating to precinct registration and challenging of voters.

Referred to Committee on Election Laws.

By Mr. Cross: Assembly Bill No. 179—An Act to amend Section 1918 of the Civil Code of California, relating to interest.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 180—An Act to amend Sections 338, 339, and 341 of the Penal Code, and add two new sections thereto, to be known and designated as Sections 344 and 345, relating to pawnbrokers.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 181—An Act to amend Section 60 of Chapter CCXXXIV of the Statutes of California, approved March 24, 1893, and entitled "An Act to establish a uniform system of county and township governments."

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 182—An Act to authorize any city or city and county of this State to take its census.

Referred to Committee on Municipal Corporations.

By Mr. Godfrey: Assembly Bill No. 183—An Act to amend Section 690 of the Code of Civil Procedure, relating to exemptions from execution.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 184—An Act conferring power upon the governing body of cities of the first class to provide for the erection of a municipal hospital, and to levy a tax therefor.

Referred to Committee on Municipal Corporations.

By Mr. Cutter: Assembly Bill No. 185—An Act to reduce the expenses of the government of this State.

Referred to Committee on Ways and Means.

By Mr. Valentine: Assembly Bill No. 186—An Act to amend Section 883 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 187—An Act appropriating the sum of $5,000 for repairs and improvements in the State Normal School at Los Angeles, California.

Referred to Committee on Public Buildings and Grounds.

By Mr. Keegan: Assembly Bill No. 188—An Act to amend subdivision 9 of Section 862 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

By Mr. Soward: Assembly Bill No. 189—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations, manufacturers, and wholesale dealers and traders.

Referred to Committee on Labor and Capital.

By Mr. Harris: Assembly Bill No. 190—An Act to amend Section 32 of an Act approved March 26, 1895, entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors."

Referred to Committee on Judiciary.

By Mr. Mulcrevy: Assembly Bill No. 191—An Act to amend Section 3633 of the Political Code of the State of California, relating to the assessment of property of persons neglecting or refusing to make and give to the Assessor a statement of his property.

Referred to the Committee on County and Township Governments.

By Mr. Arnerich: Assembly Bill No. 192—An Act to provide for the giving of bonds by the keeper of intelligence offices, defining the same, and their liabilities.

Referred to Committee on Judiciary.

By Mr. Canavan: Assembly Bill No. 193—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.

Referred to Committee on Claims.

By Mr. Sims: Assembly Bill No. 194—An Act to amend Section 1187 of the Code of Civil Procedure, concerning the filing of mechanic's lien, by adding a provision requiring the owner of real property to give notice of completion of improvements thereon.

Referred to Committee on Judiciary.

By Mr. McClellan: Assembly Bill No. 195—An Act to amend Article 647 of the Penal Code of California—repeal of the Vagrant Act.

Referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 196—An Act to amend Section 2737, Article VIII, road laws of California, giving Supervisors power to declare private bridges public property.

Referred to Committee on Roads and Highways.

By Mr. Leavitt: Assembly Bill No. 197—An Act to amend an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895, relating to voluntary insolvency.

Referred to Committee on Judiciary.

By Mr. Keables: Assembly Bill No. 198—An Act to amend Section 388, Civil Code of the State of California, relative to the sale of a franchise to collect tolls.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 199—An Act to amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gate.

Referred to Committee on Roads and Highways.

By Mr. Emmons: Assembly Bill No. 200—An Act to amend Sections 925–928 of the Penal Code of the State of California, and add a new section to said Code, to be known as Section 929, relating to grand juries, their powers and duties.

Referred to Committee on Judiciary.

By Mr. Mahoney: Assembly Bill No. 201—An Act to provide for the protection of life and property against insecure steam-boilers, and for

the establishment of a system of inspection of steam-boilers, and for licensing engineers and boiler attendants.

Referred to Committee on Labor and Capital.

By Mr. Guy: Assembly Bill No. 202—An Act to amend Section 977 of the Code of Civil Procedure, relating to the filing of papers on appeal to the Superior Court.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 203—An Act to amend Section 871 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1893.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 204—An Act relating to the compensation of County Recorders of counties where their compensation is fees instead of salary.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 205—An Act to amend Section 1214 of the Civil Code, relating to the recording of conveyances.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 206—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in lithographing maps, etc., for the Commissioner of Public Works.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 207—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in furnishing maps to the State Mining Bureau.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 208—An Act making an appropriation to pay the deficiency in the appropriation for support of Southern California Hospital for Insane and Inebriates for the forty-seventh fiscal year.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 209—An Act making an appropriation to pay the claim of R. J. Broughton for transportation of prisoners.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 210—An Act making an appropriation to pay the deficiency in the appropriation for transportation of prisoners, for payment of the claims of W. C. Conroy in conveying children to Whittier.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 211—An Act making an appropriation to pay the deficiency in the appropriation for pay of salaries of agents or assistants, for traveling expenses, and for other contingent expenses of the Bureau of Labor Statistics, as authorized by Statutes of 1889, page 7.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 212—An Act making an appropriation to pay the claim of Charles Phipps, for services rendered as Assistant Secretary of the State Board of Examiners from February 15, 1891, to March 21, 1891.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 213—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of the Southern Pacific Company vs. the Board of Railroad Commissioners of the State of California.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 214—An Act making an appropriation to pay the deficiency incurred by calling the National Guard of California into service, by order of the Governor, in 1894.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 215—An Act making an appropriation to pay the claims of C. E. Cunningham and W. C. Rodgers, for services as elevator attendants in the Capitol building.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 216—An Act making an appropriation to pay the deficiency in the appropriation for postage and contingent expenses of the Clerk of the Supreme Court for the forty-sixth fiscal year.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 217—An Act making an appropriation to pay the claim of the State Board of Health, for traveling expenses.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 218—An Act making an appropriation to pay the deficiency in the appropriation for pay of stenographer for the State Board of Railroad Commissioners, for services rendered by Frank H. Lombard.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 219—An Act making an appropriation to pay the deficiency in the appropriation for the forestry stations for the forty-sixth fiscal year.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 220—An Act making an appropriation to pay the deficiency in the appropriation for care of State Burial Grounds, for services rendered by W. C. Farnsworth.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 221—An Act making an appropriation for the arrest and conviction of highway robbers, to pay the claim of George A. Parker for the arrest and conviction of Ed Ward.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 222—An Act making an appropriation to pay the deficiency in the appropriation for the arrest and conviction of highway robbers, to pay the claim of George A. Parker.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 223—An Act making an appropriation to pay the claim of Edwin F. Ingles, for the arrest of F. J. Morgan for attempted highway robbery.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 224—An Act making an appropriation to pay the claim of Luke Kavanagh, for reporting and transcribing testimony for the Board of Health.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 225—An Act making an appropriation to pay the claim of Clarence S. Merrill, for services as reporter in a court of inquiry of the National Guard of the State of California.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 226—An Act making an appropriation to pay the claim of Wm. Macdonald, for expenses incurred in the funeral of Governor Jones of Nevada.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 227—An Act making an appropriation to pay the expenses incurred by calling the National Guard of California into service, by order of the Governor, in 1894 and 1895.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 228—An Act making an appropriation to pay the claim of Earl H. Daggett, for the arrest of Daniel McCall for attempted highway robbery.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 229—An Act making an appropriation to pay the claim of Sarah H. Wing, for the killing of her husband, O. H. Wing.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 230—An Act making an appropriation for the payment of the claim of A. J. Bogard, administrator of the estate of J. J. Bogard, deceased, for the arrest of Samuel McGuire for attempted highway robbery.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 231—An Act making an appropriation to pay the claim of W. N. Hendricks, for the arrest of John Keener for attempted highway robbery.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 232—An Act making an appropriation to pay for advertising the constitutional amendments for 1894.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 233—An Act making an appropriation to pay the claim of "The Bulletin," for advertising the constitutional amendments.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 234—An Act making an appropriation to pay the claim of the Tribune Publishing Company, for advertising the constitutional amendments.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 235—An Act making an appropriation to pay the claim of Cassasa's First Regiment Band, for music furnished for the funerals for the late Generals Dimond and McComb.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 236—An Act making an appropriation to pay the deficiency in the appropriation for traveling expenses of the Board of Railroad Commissioners.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 237—An Act making an appropriation to pay the claim of W. J. Deater, for publishing notice and summons in foreclosing interest of delinquent purchasers of State school lands.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 238—An Act making an appropriation to pay the claim of George A. Sturtevant, for costs of suit of foreclosing delinquent purchasers of State school lands.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 239—An Act making an appropriation to pay expenses incurred by the Commission for the Revision and Reform of the Law.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 240—An Act making an appropriation to

pay the deficiency in the appropriation "to provide for the erection and operation of rock-crushing plants at the State Prisons," etc.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 241—An Act making an appropriation to pay the expenses incurred for the funeral of the late State Librarian, W. D. Perkins.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 242—An Act making an appropriation to pay the claim of R. L. Peeler, for expenses incurred in attending the funeral of the late General Dimond.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 243—An Act making an appropriation to pay the deficiency in the appropriation for payment of the expenses incurred in calling the National Guard of California into service, by order of the Governor, in 1894.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 244—An Act making an appropriation to pay the claim of "The Examiner," for advertising the constitutional amendments.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 245—An Act making an appropriation to pay the claim of James H. Barry, publisher of "The Star," for advertising the constitutional amendments.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 246—An Act making an appropriation to pay the claim of James McClatchy & Co., publishers of "The Bee," for advertising the constitutional amendments.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 247—An Act making an appropriation to pay the claim of the Daily Report Publishing Company, for advertising the constitutional amendments.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 248—An Act making an appropriation to pay the claim of the Herald Publishing Company for advertising the constitutional amendments.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 249—An Act making an appropriation to pay the claim of Dennis Jordan for balance due for work done on the State Prison at Folsom.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 250—An Act making an appropriation to pay the expenses for the funeral of the late Lieutenant-Governor Millard.

Referred to Committee on Ways and Means.

By Mr. Goff: Assembly Bill No. 251—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 397 thereof, relating to penalties for selling liquor to habitual or common drunkards and Indians.

Referred to Committee on Crimes and Penalties.

By Mr. Melick: Assembly Bill No. 252—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote horticultural interests of the State,'" approved March 19, 1889.

Referred to Committee on Fruit and Vine Interests.

Also: Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 1 of Article XIII, relative to exemption from taxation.

Referred to Committee on Constitutional Amendments.

By Mr. McLaurin: Assembly Bill No. 253—An Act to increase the number of Judges of the Superior Court of the County of Santa Clara, and to provide for the appointment of an additional Judge.

Referred to Committee on Judiciary.

By Mr. Chynoweth: Assembly Bill No. 254—An Act to amend Section 237 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

Referred to Committee on Commissions, Retrenchments, and Public Expenditures.

Also: Assembly Bill No. 255—An Act to amend Section 874 of An Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations, approved March 13, 1883, in relation to notice for bids for public work.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 256—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 60, relating to county officers and their terms of office.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 257—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 186, relating to counties of the twenty-fourth class.

Referred to Committee on County and Township Governments.

By Mr. Dibble: Assembly Bill No. 258—An Act to regulate the salaries of certain officers in the police department of counties, cities, and cities and counties of this State having a population of two hundred thousand or more inhabitants, and to provide for the appointment and salaries of other officers of such departments.

Referred to San Francisco Delegation.

By Mr. Treacy: Assembly Bill No. 259—An Act to provide for the proper sanitary condition of bakeries, and the preservation of the health of the employés therein.

Referred to Committee on Public Health and Quarantine.

By Mr. Bettman: Assembly Bill No. 260—An Act to validate the organization and incorporation of municipal corporations.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 261—An Act for the appointment of a commissioner to represent the State of California at the Central American Exhibition, to be held in the City of Guatemala on March 15, 1897, and to prescribe his powers and duties, and to authorize the appointment of a clerk; and to provide for the expenses of said commission and the compensation of said clerk, and for certain expenses of the California exhibit at said exhibition, and to appropriate money therefor.

Referred to Committee on Agriculture.

By Mr. Guy: Assembly Bill No. 262—An Act making an appropriation to pay the claim of George E. Lawrence, for services rendered the

State of California at the funeral of the late Lieutenant-Governor Millard.

Referred to Committee on Ways and Means.

RESOLUTIONS.

By Mr. Price:

Resolved, That the pay of W. Bullock, who was appointed a statutory Page by the Speaker, commence on the 11th day of January, 1897.

Adopted.

By Mr. Godfrey:

Resolved, That one hundred and twenty copies of the bound Journal of the thirty-second session of the Assembly be made, and one copy be sent, by the Secretary, to each incorporated town free public reading-room in the State, the payment for which to be provided for out of the State General Fund.

Referred to Committee on Judiciary.

By Mr. Belshaw:

Resolved, That the sum of $39 58 be and the same is hereby appropriated out of the Contingent Fund of the Assembly for the purpose of defraying the expense of telegraphing to the California congressional delegation at Washington, Assembly Joint Resolution No 6, and the Controller is hereby authorized and directed to draw his warrant for the same.

Adopted.

ASSEMBLY JOINT RESOLUTION No. 9.

By Mr. Jones:

WHEREAS, There is, and for three years past has been, open warfare waged and maintained by the Cubans for independence; and

WHEREAS, The principles and the material interests involved in the war between the Cubans and the Spanish Government are such as appeal directly to the hearts and conscience of the American people; therefore, be it

Resolved by the Assembly, the Senate concurring, That the interest of our people and of enlightened justice, and the love of independence and liberty, demand that the insurgents of Cuba be granted belligerent rights by our Government; and further be it

Resolved, That our Senators in Congress be instructed, and our Representatives therein be requested and urged, to use every honorable means within their power for the granting of the rights of belligerents to the insurgents of Cuba at the earliest possible moment;

Resolved, That a copy of these resolutions be immediately forwarded to our Senators and Representatives in Congress by the Chief Clerk of the Assembly.

Referred to Committee on Federal Relations.

By Mr. Ennis:

Resolved, That the sum of $18 is hereby appropriated out of the Contingent Fund of the Assembly for the payment of Charles Moore for six days' services as Page, at a per diem of $3, and the State Controller is hereby authorized to draw his warrant, and the State Treasurer to pay the same.

Adopted.

By Mr. Belshaw:

Resolved, That Assembly Joint Resolution No. 6, which was passed by the Assembly January 5, 1897, as appears on page 7 of the Journal of that date, be ordered to enrollment, for the purpose of having it appear in the Statutes of 1897.

Adopted.

Also:

Resolved, That all reports from the Committees on Mileage and Attachés and Employés be laid over one day, and be printed in the Journal before final action is taken on them.

Adopted.

APPOINTMENTS.

The Speaker announced the following appointments:

Horace E. Montague, Clerk to Sergeant-at-Arms	$5 00
H. J. Jackson, Clerk at Desk	5 00
P. J. Arnerich, File Clerk	5 00
G. H. Smith, Porter in Gallery	4 00
A. Williams, Porter in Gallery	4 00

ADJOURNMENT.

At four o'clock and forty minutes P. M., on motion of Mr. Guy, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 12, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

LEAVE OF ABSENCE.

Mr. Moultrie was granted leave of absence for the remainder of the week.

READING OF THE JOURNAL.

The reading of the Journal of Friday, January 8th, was dispensed with, on motion of Mr. Dibble.

APPROVAL OF JOURNAL.

The Journal of Friday, January 8th, was approved as corrected by the Journal Clerk.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred Assembly Bill No. 152, entitled "An Act to amend Section 529 of an Act entitled 'An Act to establish a Political Code,'" approved March 12, 1872, relating to public printing, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CHYNOWETH, Chairman.

RESOLUTION—(CASE OF URGENCY).

By Mr. Dibble:

Resolved, That Assembly Bill No 152 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Canavan. Cartwright. Chynoweth, Clarke. Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott. Emmons. Ennis. Fontana, Foreman, Gately, Godfrey, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Landsborough, Leavitt, Lindenberger. Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright. and Mr. Speaker—71.
NOES—None.

By Mr. Dibble: Assembly Bill No. 152—An Act to amend Section 529 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public printing.

FIRST AND SECOND READINGS OF BILL.

Assembly Bill No. 152 read first and second times, considered engrossed, and to third reading.

THIRD READING OF BILL.

Assembly Bill No. 152 read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Kelly, Lacy, Landsborough. Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—68.
NOES—None.

Title read and approved.

Mr. Dibble moved that Assembly Bill No. 152 be immediately transmitted to the Senate.

So ordered.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER. SACRAMENTO, January 12, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations beg to report the following as a substitute for Rule XXVI, and recommend that it be adopted:

XXVI.—STANDING COMMITTEES.

The Standing Committees of the House shall be as follows:

1. A Committee on Agriculture, to consist of nine 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 eleven 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 thirteen 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 nine members.
18. A Committee on Federal Relations, to consist of five members
19. A Committee on Homesteads and Land Monopoly, to consist of seven members.
20. A Committee on Irrigation, to consist of nine members.
21. A Committee on Judiciary, to consist of twenty-one members.
22. A Committee on Labor and Capital, to consist of fifteen members.
23. A Committee on Manufactures and Internal Improvements, to consist of nine members.
24. A Committee on Mileage, to consist of five members.
25. A Committee on Military Affairs, to consist of nine members.
26. A Committee on Mines and Mining Interests, to consist of eleven 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 thirteen members.
30. A Committee on Public Lands and Forestry, 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 Public Works, State Capitol, and Parks, to consist of eleven members.
34. A Committee on Commissions, Retrenchment, and Public Expenditures, to consist of nine members.
35. A Committee on Roads and Highways, to consist of fifteen members.
36. A Committee on Revision of Codes and Statutes, to consist of seven members.
37. A Committee on Rules and Regulations, to consist of seven members, one of whom shall be the Speaker.
38. A Committee on State Hospitals and Asylums, to consist of nine members.
39. A Committee on State Library, to consist of five members
40. A Committee on State Prisons and Reformatory Institutions, to consist of nine members.
41. A Committee on Swamp and Overflowed Lands and River Improvements, to consist of eleven members.
42. A Committee on Ways and Means, to consist of fifteen members.

CHYNOWETH, Chairman.

MOTION.

Mr. Dibble moved that the reading of the report of Committee on Rules be dispensed with, and the same printed in full in to-morrow's Journal.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 11, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 8th day of January, passed the following:

Senate Joint Resolution No. 2, relative to the fruit industry.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

SENATE JOINT RESOLUTION.

Senate Joint Resolution No. 2, relative to the fruit industry, read and referred to Committee on Federal Relations.

INTRODUCTION OF BILLS.

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

By Mr. Leavitt: Assembly Bill No. 263—An Act making an appro-

priation for the support of the State Printing Office for the forty-eighth fiscal year.

Referred to Committee on Public Printing.

By Mr. North of Yolo: Assembly Constitutional Amendment No. 15—Proposed amendment to Article IV, Section 7, of the Constitution, relative to a limitation of the number of employés of the Legislature.

Referred to Committee on Commissions, Retrenchment, and Public Expenditures.

By Mr. Elliott: Assembly Bill No. 264—An Act to amend Section 172 of the Civil Code, relative to the management and control of community property.

Referred to Committee on Judiciary.

By Mr. Landsborough: Assembly Bill No. 265—An Act to establish the fees of County Clerks and of jurors in this State.

Referred to Committee on County and Township Governments.

By Mr. Canavan: Assembly Bill No. 266—An Act to provide a relief fund for injured and disabled firemen of the volunteer fire departments within incorporated cities and towns.

Referred to Committee on Municipal Corporations.

By Mr. Ryan: Assembly Bill No. 267—An Act to promote the safety of employés and passengers upon railroads, by compelling common carriers to equip their cars with automatic couplers and continuous brakes, and their locomotives with driving-wheel brakes, and to require street railroads to provide guards for cars and dummies, and to prescribe penalties.

Referred to Committee on Corporations.

By Mr. Ryan: Assembly Constitutional Amendment No. 16—Proposed amendment to Article XIII of the Constitution, relative to the Board of Equalization, providing that said Board of Equalization shall consist of four members, to be elected at large by the electors of the State.

Referred to Committee on Constitutional Amendments.

By Mr. Dibble: Assembly Bill No. 268—An Act to provide for the annual salaries of the Judges of the Superior Court of the City and County of San Francisco.

Referred to San Francisco Delegation.

By Mr. Burnett: Assembly Constitutional Amendment No. 17—Proposed amendment to Article XIII of the Constitution, relative to revenue and taxation.

Referred to Committee on Constitutional Amendments.

By Mr. Burnett: Assembly Bill No. 269—An Act to repeal Sections 2652 and 2671 of the Political Code, relating to road poll tax.

Referred to Committee on Roads and Highways.

By Mr. Treacy: Assembly Constitutional Amendment No. 18—Amending Article XIII, relative to revenue and taxation.

Referred to Committee on Constitutional Amendments.

SPEAKER PRO TEM.

Mr. Kenyon, Speaker pro tem., was called to the chair by the Speaker.

MOTION.

Mr. Belshaw moved that the report of the Committee on Mileage, so far as relates to mileage of members and attachés, be referred back to that committee.

So ordered.

RESOLUTION.

By Mr. Dryden:

WHEREAS, The members of the present Assembly were elected under pledges of economy and retrenchment, demanded by the people in their respective political conventions, which demands were based upon the fact of unnecessary expenditures in past sessions; and

WHEREAS, It is publicly charged that in the temporary organization of the present Assembly some abuses of legal privileges have been committed in the selection of officials and attachés, and

WHEREAS, It is publicly charged that the temporary organization of this session of the Assembly cost the State at least $2,000 more than did that of the last session; therefore, be it

Resolved, That a committee be appointed, consisting of one member from each of the three political organizations here represented, whose duty it shall be to inquire into and report:

First—Whether any unnecessary appointments have been made and unnecessary expenses incurred in such temporary organization, and if so, to what extent.

Second—Whether such unnecessary appointments and expenses are contrary to law, or due to a strained construction of statutory privilege. And if the latter, to suggest such amendments and restrictions as will prevent a recurrence of like abuses in future.

Mr. Dryden moved the adoption of the resolution.

Mr. Dibble moved to amend by referring the resolution to the Committee on Attachés and Employés.

Ayes and noes were demanded by Messrs. Shanahan, Dibble, and Rubell.

The roll was called, and the motion of Mr. Dibble adopted by the following vote:

AYES—Messrs. Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Elliott, Ennis, Fontana, Gately, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Keables, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, McCandlish, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, and Wright—52.

NOES—Messrs. Aldridge, Boone, Bridgford, Burnett, Cartwright, Dryden, Emmons, Foreman, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mead, McClellan, McGrath, Rubell, Ryan, Shanahan, Toland, and Treacy—21.

RESOLUTION.

By Mr. Belshaw:

WHEREAS, The people of the State of California, with the invaluable assistance of the press of the State, have consistently opposed the passage, by Congress, of any and all "funding bills" which had for their object the refunding of the debts of certain Government-aided railroads; and

WHEREAS, The House of Representatives at Washington has defeated by a large majority the Powers-Gear funding bill, which will, we hope, settle this question for all time; therefore, be it

Resolved by the Assembly of the State of California, That we extend our sincere thanks to the California congressional delegation at Washington for their untiring efforts in this matter, and also to the House of Representatives, and we congratulate the people of the State of California on the satisfactory settlement of this vexed question.

Mr. Shanahan moved to amend by inserting, between the word "Washington" and the word "for," the following:

With the exception of the one recreant member.

Mr. North, offered the following as a substitute:

RESOLUTION.

By Mr. North, of Alameda:

Resolved, That the thanks of the Assembly of California be extended to the House of Representatives for the defeat of the funding bill.

Mr. Emmons moved to refer the whole matter to the Committee of the Whole.

Lost.

Mr. Dennery moved that the whole matter be indefinitely postponed.

So ordered.

RESOLUTIONS.

By Mr. Belshaw:

Resolved, That requisitions on the Secretary of State for stationery be limited to $30 each for the Committees on Ways and Means and Judiciary, and $10 each for all other standing committees, all requisitions to be signed by the Chairmen.

Referred to Committee on Commissions, Retrenchment, and Public Expenditures.

Mr. Henry moved that the Committee on Public Printing be increased from seven to nine.

Referred to Committee on Rules and Regulations.

By Mr. Dennery:

Resolved, That the Committees on Ways and Means and Judiciary be allowed $25 worth of stationery, and that all other committees be allowed $10 worth, to be drawn by requisition upon the Secretary of State by the respective Chairmen of the several committees.

MOTION.

Mr. Dennery moved that the rules be suspended and the resolution considered at this time.

Lost.

RECESS.

At eleven o'clock and fifteen minutes A. M., on motion of Mr. Rubell, the Assembly took a recess until eleven o'clock and forty-five minutes A. M.

REASSEMBLED.

The Assembly reassembled at eleven o'clock and forty-five minutes A. M. Speaker Coombs in the chair.

Quorum present.

INTRODUCTION OF BILLS.

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

By Mr. Treacy: Assembly Bill No. 270—An Act to reduce the rates of fare on street railroads in cities, cities and counties, or towns, and to require the issuance of commutation tickets for not less than thirty trips at reduced rates.

Referred to Committee on Corporations.

By Mr. Sims: Assembly Bill No. 271—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Referred to Committee on Claims.

By Mr. Henry: Assembly Bill No. 272—An Act to amend Section 1 of an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872.

Referred to Committee on Public Buildings and Grounds.

RECESS.

At eleven o'clock and fifty minutes A. M., the Speaker declared a short recess.

REASSEMBLED.

The Assembly reassembled at eleven o'clock and fifty-five minutes A. M. Speaker Coombs in the chair.

TWELVE O'CLOCK M.—RESOLUTION.

By Mr. North, of Alameda:

WHEREAS, The term of the Hon. George C. Perkins, United States Senator in Congress from the State of California, elected on January 23, A. D. 1895, to fill the unexpired term of Hon. Leland Stanford, will expire on the 4th day of March, A. D. 1897; and

WHEREAS, His successor, whose term shall commence on said 4th day of March, A. D. 1897, must be now chosen; 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, for the term of six years, commencing March 4, 1897, 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, A. D. 1866, and pursuant to the provisions of Sections 14 and 15 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 1st day of December, A. D. 1873," approved January 22, 1874.

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, 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 14 and 15 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 1st 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 receives 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 Speaker declared in order nominations for one United States Senator, to succeed Hon. George C. Perkins.

NOMINATIONS.

Mr. Waymire nominated the Hon. George C. Perkins, of Alameda County.

Mr. Bridgford nominated the Hon. James G. Maguire, of San Francisco.

Mr. Malcolm seconded the nomination of the Hon. George C. Perkins.

Mr. Bettman seconded the nomination of the Hon. George C. Perkins.

Mr. Hill seconded the nomination of the Hon. George C. Perkins.

Mr. Emmons nominated the Hon. Thomas V. Cator, of San Francisco.

Mr. Sanford nominated the Hon. W. W. Foote, of San Francisco.

EXTENSION OF TIME.

At twelve o'clock and twenty-nine minutes P. M., Mr. Dibble moved that the hour of recess be extended thirty minutes.

So ordered.

NOMINATIONS—(CONTINUED).

Mr. Clarke seconded the nomination of the Hon. George C. Perkins.

Mr. Belshaw seconded the nomination of the Hon. George C. Perkins.

Mr. North, of Yolo, seconded the nomination of the Hon. George C. Perkins.

Mr. Treacy seconded the nomination of the Hon. James G. Maguire.

Mr. Valentine seconded the nomination of the Hon. George C. Perkins.

Mr. Elliott seconded the nomination of the Hon. W. W. Foote.

Mr. Dryden seconded the nomination of the Hon. Thomas V. Cator.

FURTHER EXTENSION OF TIME.

At twelve o'clock and fifty minutes, on motion of Mr. Cutter, the hour of recess was extended thirty minutes.

NOMINATIONS—(CONTINUED).

Mr. Power, of San Francisco, nominated the Hon. John J. Dwyer, of San Francisco.

Mr. Dolan seconded the nomination of the Hon. John J. Dwyer.

The roll was called, with the following result:

For George C Perkins—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Coombs, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, and Wright.

For James G. Maguire—Messrs. Boone, Bridgford, Caminetti, Godfrey, Mahoney, Mead, McCandlish, McLaurin, Toland, and Treacy.

For T. V. Cator—Messrs. Aldridge, Burnett, Cartwright, Dryden, Emmons, Foreman, Houghton, Keegan, Landsborough, McClellan, and Shanahan.

For W. W. Foote—Messrs. Elliott, Rubell, and Sanford.

For J. J. Dwyer—Messrs. Allen, Dolan, Gately, Lacy, Mulcrevy, McGrath, Power of San Francisco, and Ryan.

Whole number of votes cast	79
Necessary to a choice	40
George C. Perkins received	47 votes.
James G. Maguire received	10 votes.
T. V. Cator received	11 votes.
W. W. Foote received	3 votes.
J. J. Dwyer received	8 votes.

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 term of six years, commencing March 4, 1897.

RESOLUTIONS.

By Mr. North, of Alameda:

Resolved, That the Chief Clerk forthwith inform the Senate of the vote for United States Senator in this Assembly.

Adopted.

Also:

WHEREAS, It appears, by message of the Senate, that on the 12th day of January, A. D. 1897, proceedings were had for the election of a United States Senator in Congress, in conformity 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 14 and 15 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 1st day of December, Anno Domini 1873," approved January 22, 1874, and it appearing that George C. Perkins received a majority of the votes cast; and

WHEREAS, Similar proceedings were had in the Assembly on said 12th day of January, A. D. 1897, and a majority of said vote of the Assembly was cast for George C. Perkins, now, therefore, be it

Resolved, That the Senate and Assembly meet in Joint Assembly on the 13th day of January, A. D. 1897, at twelve o'clock noon of said day, to declare the said election of said George C. Perkins Senator in Congress for the term of six years, commencing on the 4th day of March, A. D. 1897.

Adopted.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 13, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin

North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

APPROVAL OF JOURNAL.

The Journal of January 11th was approved.

READING OF THE JOURNAL.

The reading of the Journal of yesterday was dispensed with.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC WORKS, STATE CAPITOL, AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1897.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Assembly Bill No. 134—An Act to amend 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, relating to the office of Commissioner of Public Works—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ENNIS, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1897.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No 17—An Act fixing the minimum rate of wages for labor on public work—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 44—An Act to establish and support a department of labor, and appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

DENNERY, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 12, 1897.

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 13, 1897, 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 14 and 15 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 1st 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 six years, beginning March 4, 1897, with the following result:

Whole number of votes cast	40
Necessary to a choice	21
Geo. C. Perkins received	27
J. J. Dwyer received	2
W. W. Foote received	6
B. F. Langford received	3
Chas. D. Lane received	1
Daniel M. Burns received	1

F. J. BRANDON, Secretary of Senate.

INTRODUCTION OF BILLS.

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

By Mr. Caminetti: Assembly Bill No. 273—An Act to amend Section 170 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualification of judges, as amended by an Act approved March 23, 1893.

Referred to Committee on Revision of Codes and Statutes.

By Mr. North, of Alameda: Assembly Bill No. 274—An Act authorizing the issue and sale of fiscal year bonds by incorporated cities.

Referred to Committee on Municipal Corporations.

By Mr. Bridgford: Assembly Bill No. 275—An Act to add a new section to the Political Code, to be known and designated as Section 3466½, relating to the payment of invalid assessments in reclamation districts, and the crediting of the amount paid to the tract or land upon which the same was assessed upon subsequent assessments.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Bridgford: Assembly Bill No. 276—An Act to amend an Act providing for the sale of railroad and other franchises in municipalities, and relative to granting franchises, approved March 23, 1893, and confirming grants of franchises and privileges heretofore made.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Aldridge: Assembly Bill No. 277—An Act to amend Section 3766 of the Political Code of the State of California, relating to the publication of the delinquent tax list.

Referred to Committee on Judiciary.

By Mr. Elliott: Assembly Bill No. 278—An Act to amend Section 1239 of the Penal Code, relative to the time for appeal from judgment.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Treacy: Assembly Bill No. 279—An Act to add to the Political Code of the State of California two new sections, to be numbered Sections 3246½ and 3247½, respectively, regulating the hours of labor of persons employed in bakeries.

Referred to Committee on Labor and Capital.

By Mr. Godfrey: Assembly Bill No. 280—An Act to amend 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 2, 1893, and to fix the term of office of the Judges of said court.

Referred to San Francisco Delegation.

By Mr. Henry: Assembly Bill No. 281—An Act to add a new section to the Penal Code, to be known as Section 367 thereof, relating to dealing in convict-made goods.

Referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 282—An Act entitled an Act to prevent the manufacture in penal institutions of other goods than jute bags, and broken stone for roads and highways, and materials consumed in the State penal institutions.

Referred to Committee on Labor and Capital.

By Mr. Cutter: Assembly Bill No. 283—An Act to change and per-

manently locate the boundary line between the counties of Butte and Yuba.

Referred to Committee on Counties and County Boundaries.

By Mr. Cartwright: Assembly Bill No. 284—An Act to amend Section 1770 of the Political Code, relative to the frequency of holding examinations of applicants for teachers' certificates.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Toland: Assembly Bill No. 285—An Act for the employment of the homeless and the unemployed, and for the punishment of vagrants.

Referred to Committee on County and Township Governments.

Mr. North, of Alameda, was called to the chair by the Speaker.

By Mr. Canavan: Assembly Bill No. 286—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Guy: Assembly Bill No. 287—An Act making an appropriation to pay the expenses of Electors of President and Vice-President of the United States of America.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 288—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building and furniture, etc.

Referred to Committee on Ways and Means.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1897.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 83—An Act to amend 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, with amendments, and recommend that the same pass as amended.

SOWARD, Chairman.

RESOLUTION.

By Mr. Cutter:

Resolved, That the State Printer be and he is hereby instructed to bind all Senate and Assembly bills in volumes of two hundred each, and said volumes to be supplied to each member of this Assembly, for his use.

Referred to Committee on Rules and Regulations.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred the following bills: Nos. 13, 59, 93, 103, 106, 125, 126, 148, 155, 168, 180, 200, 205, and 264, ask that same be re-referred to Committee on Revision of Codes and Statutes.

WAYMIRE, Chairman.

Adopted.

RESOLUTIONS.

By Mr. Landsborough:

WHEREAS, It has come within the notice of the members of the Assembly that the ladies' waiting-room on the first floor of the Capitol building has been assigned to the use of certain committees of this House; and

WHEREAS, Said room was especially set apart by resolution for the use of ladies only, by Statutes of 1887, page 3; therefore, be it

Resolved, That the Secretary of State be and he is hereby requested to place some other room or rooms at the disposal of said committees, and that said ladies' waiting-room be kept exclusively for the use of the ladies, as it was originally intended it should be.

Referred to Committee on Rules and Regulations.

By Mr. Malcolm:

Resolved, That the Committee on State Hospitals and Asylums be granted leave of absence from Friday noon until Monday noon, for the purpose of visiting the Asylums at Ukiah and Napa, in order that it may investigate and act intelligently upon bills asking for appropriations for said institutions.

Referred to Committee on State Hospitals and Asylums.

By Mr. Strain:

Resolved, That the hour of closing the post office of the Assembly be changed from six o'clock to five o'clock P. M.

Referred to Committee on Rules and Regulations.

COMMUNICATIONS.

Mr. Guy read the following communications, and requested they be published in full in the Journal.

So ordered.

OFFICE OF STATE BOARD OF EXAMINERS,
SACRAMENTO, January 12, 1897.

Resolved, That the Legislature of the State of California is hereby respectfully requested to appropriate the sum of $500, to pay the expenses of the Presidential Electors.

I hereby certify that the foregoing is a full copy of a resolution passed by the State Board of Examiners, January 12, 1897.

Respectfully,

JOHN MARKLEY,
Secretary State Board of Examiners.

OFFICE OF STATE BOARD OF EXAMINERS,
SACRAMENTO, January 12, 1897.

Resolved, That the Chairman of the Finance Committee of the Senate and the Chairman of the Ways and Means Committee of the Assembly be and they are hereby respectfully requested to introduce bills for the claims which have been approved by the State Board of Examiners

I hereby certify that the foregoing is a full copy of a resolution passed by the State Board of Examiners, January 12, 1897.

Respectfully,

JOHN MARKLEY,
Secretary State Board of Examiners.

APPOINTMENTS BY SPEAKER.

The Speaker announced the following appointments:

John F. Sheehan, Jr., additional Clerk to Committee on Revision of Codes and Statutes, at a per diem of $5

Javez Hocking, Bookkeeper to Sergeant-at-Arms, at a per diem of $5.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Breiling: Assembly Bill No. 289—An Act amending the Code

of Civil Procedure of the State of California, adding a new section thereto, to be known and designated as Section 1408, making the expense of giving a bond by administrators, executors, trustees, receivers, and assignees an expense payable as an expense of administration.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Cross: Assembly Bill No. 290—An Act removing lands used for Soldiers' Homes from school districts within the State, and designating school facilities for children of school age residing within such territory.

Referred to Committee on Education.

By Mr. Mead: Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to Section 12 of Article XIII of the Constitution of the State of California, by providing that persons voting at a general election shall be exempt from the payment of poll tax.

Referred to Committee on Constitutional Amendments.

Mr. Chynoweth asked for the consideration of the report of the Committee on Rules and Regulations, which was submitted on yesterday.

REPORT OF COMMITTEE ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations beg to report the following as a substitute for Rule XXVI, and recommend that it be adopted:

XXVI —STANDING COMMITTEES.

The Standing Committees of the House shall be as follows:

1. A Committee on Agriculture, to consist of nine 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 eleven 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 thirteen 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 nine members
18. A Committee on Federal Relations, to consist of five members.
19. A Committee on Homesteads and Land Monopoly, to consist of seven members.
20. A Committee on Irrigation, to consist of nine members.
21. A Committee on Judiciary, to consist of twenty-one members.
22. A Committee on Labor and Capital, to consist of fifteen members.
23. A Committee on Manufactures and Internal Improvements, to consist of nine members
24. A Committee on Mileage, to consist of five members.
25. A Committee on Military Affairs, to consist of nine members.
26. A Committee on Mines and Mining Interests, to consist of eleven 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 thirteen members.
30. A Committee on Public Lands and Forestry, 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 Public Works, State Capitol, and Parks, to consist of eleven members.
34. A Committee on Commissions, Retrenchment, and Public Expenditures, to consist of nine members.
35. A Committee on Roads and Highways, to consist of fifteen members.
36. A Committee on Revision of Codes and Statutes, to consist of seven members.

37. A Committee on Rules and Regulations, to consist of seven members, one of whom shall be the Speaker.
38. A Committee on State Hospitals and Asylums, to consist of nine members.
39. A Committee on State Library, to consist of five members.
40. A Committee on State Prisons and Reformatory Institutions, to consist of nine members.
41 A Committee on Swamp and Overflowed Lands and River Improvements, to consist of eleven members.
42. A Committee on Ways and Means, to consist of fifteen members.

CHYNOWETH, Chairman.

MOTION.

On motion of Mr. Chynoweth, the same was adopted.

RECESS.

At ten o'clock and forty-five minutes A. M., on motion of Mr. Wright, the Assembly took a recess until eleven o'clock and forty-five minutes A. M.

REASSEMBLED.

The Assembly reassembled at eleven o'clock and fifty minutes A. M. Speaker Coombs in the chair.

Quorum present.

At eleven o'clock and fifty-three minutes, Mr. Cutter was called to the chair by the Speaker.

SENATE MESSAGES.

The consideration of Senate messages was passed temporarily, at request of Mr. Dibble.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Ryan: Assembly Bill No. 291—An Act supplementary to an Act entitled "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," approved March 27, 1895.

Referred to San Francisco Delegation.

By Mr. Guy: Assembly Bill No. 292—An Act to amend Sections 3730 and 3823 of the Political Code, relating to revenue and taxation.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Lacy: Assembly Bill No. 293—An Act to amend an Act entitled "An Act to amend Section 10 of the Political Code of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

Referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 294—An Act to amend an Act entitled "An Act to amend Section 7 of the Civil Code of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

Referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 295—An Act to amend an Act entitled "An Act to amend Sections 10 and 134 of the Code of Civil Procedure of the

State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Harris: Assembly Bill No. 296—An Act to appropriate the sum of $295 85 to pay the claim of Tribune Printing Company against the State.

Referred to Committee on Claims.

By Mr. Ennis: Assembly Bill No. 297—An Act entitled "An Act to amend Section 3009 of the Political Code," relating to the appointment of officers and employés by the San Francisco Board of Health.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Aldridge: Assembly Bill No. 298—An Act to amend Section 737 of the Political Code.

Referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 299—An Act to amend Section 176 of an Act to establish a uniform system of county and township governments, approved March 24, 1893.

Referred to Committee on County and Township Governments.

ASSEMBLY JOINT RESOLUTION No. 10.

By Mr. Caminetti:

WHEREAS, The prompt construction of the Nicaragua Canal is of vital importance to our country, and calculated to foster our domestic and foreign commerce; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That we urgently request the Congress of the United States to enact laws providing for the building of the Nicaragua Canal by and under control of the United States, thus affording a short water route between the Atlantic and Pacific shores of the country, and quicken communication with foreign lands, at low tolls and without discrimination; be it further

Resolved, That our Senators be instructed and our Congressmen requested to use all honorable means to secure immediate consideration and passage of such laws.

Referred to Committee on Federal Relations.

RESOLUTION.

By Mr. Malcolm:

Resolved, That the appointment of Paul J. Arnerich date from the 11th day of January, 1897, at a per diem of $5, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 13, 1897.

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 14 and 15 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 1st day of December, A. D. 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, in conjunction with the Hon. Frank L. Coombs, 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 Senators answered to their names:

Senators Androus, Aram, Beard, Bert, Boyce, Braunhart, Bulla, Chapman, Denison, Dickinson, Doty, Dwyer, Feeney, Flint, Franck, Gillette, Gleaves, Hall, Henderson, Holloway, Jones, Langford, La Rue, Linder, Luchsinger, Mahoney, Morehouse, Pedlar, Prisk, Seawell, Shine, Shippee, Simpson, Smith, Stratton, Toner, Trout, Voorheis, Withington, and Wolfe.

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 members answered to their names:

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Stram, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, 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 both houses to meet in Joint Assembly this day.

The Secretary of the Senate 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 14 and 15 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 1st 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 receives 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, by direction of the President, pro tem. of the Senate, then read from the Journal of the Senate so much of the proceedings of yesterday, which was the second Tuesday after the organization of the thirty-second session, as relates to the election of a United States Senator to fill the term commencing March 4, 1897.

Whereby it appears that forty Senators were present and voted each for his choice, and that the

Hon. George C. Perkins received	27 votes.
Hon. J. J. Dwyer received	2 votes.
Hon. W. W. Foote received	6 votes.
Hon. B. F. Langford received	3 votes.
Hon. Charles D. Lane received	1 vote.
Hon. Daniel M. Burns received	1 vote.

The President pro tem. of the Senate then announced that it appeared from the reading of the Journal of the Senate that the Hon. George 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 term commencing March 4, 1897.

By direction of the Speaker of the Assembly, 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-second session, as relates to the election of a United States Senator to fill the term commencing March 4, 1897.

Whereby it appears that seventy-nine members of the Assembly were present and voted each for his choice, and that the

Hon. George C. Perkins received	47 votes.
Hon. James G. Maguire received	10 votes.
Hon. T. V. Cator received	11 votes.
Hon. W. W. Foote received	3 votes.
Hon. J. J. Dwyer received	8 votes.

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 term commencing March 4, 1897.

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 has 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 for the term beginning March 4, 1897.

RESOLUTION.

The following resolution was offered by Senator Dickinson, who moved its adoption:

Resolved, That the Secretary of the Senate and the Chief 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 and declaring the election of a person to the United States Senate in Congress from California for the term of six years, beginning March 4, 1897, in accordance with an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and that said copy be attested by the President and Secretary of the Senate and the Speaker and Chief Clerk of the Assembly.

Resolution adopted.

The President pro tem. of the Senate then announced the receipt of a telegraphic communication from Hon. George C. Perkins.

The Secretary of the Senate read as follows:

WASHINGTON, D. C, January 13, 1897.

To HON. W. T. JETER, *Lieutenant-Governor, and President of the Joint Legislative Assembly:*

Permit me, through you, to express to the Joint Legislative Assembly my most sincere appreciation of the honor conferred upon me by my reelection as one of California's Senators in Congress. This evidence of your confidence is intensified by the fact that your choice was made only eight days after the organization of the Legislature and on the first day that by law you were permitted to vote on this question. The honor conferred is made more distinguished from the further fact that it has been bestowed upon me while separated from my State by three thousand miles, and removed from all possibility of exerting personal influence upon your action. All this increases within me the feeling of responsibility which the high office brings, and strengthens my ambition to work, if possible, with more zeal for the interests of the people who have so often honored me with their confidence. I shall endeavor to act in the future as in the past, as far as in my power lies, in accordance with the principles enunciated by the Republican national platforms, and shall ever bear in mind the truth that he who best serves his State best serves his political party.

GEORGE C. PERKINS.

On motion of Mr. Bettman, the communication was ordered printed in the Journal of the Joint Assembly.

The minutes of the Joint Assembly of this day were read and, on motion of Mr. Dibble, approved.

ADJOURNMENT.

At twelve o'clock and thirty-three minutes P. M., on motion of Senator Dickinson, the Joint Assembly stood adjourned.

THOS. FLINT, JR.,
President pro tem. of the Senate.
F. J. BRANDON,
Secretary of the Senate.
F. L. COOMBS,
Speaker of the Assembly.
S. J. DUCKWORTH,
Chief Clerk of the Assembly.

IN ASSEMBLY.

REASSEMBLED.

The Assembly reassembled at twelve o'clock and thirty-seven minutes P. M.

Speaker Coombs in the chair.

Quorum present.

ADJOURNMENT.

At twelve o'clock and thirty-eight minutes P. M., on motion of Mr. Dibble, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 14, 1897.

The Assembly met pursuant to adjournment.

Speaker pro tem. Kenyon in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Emmons, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright.

Quorum present.

LEAVE OF ABSENCE.

Speaker Coombs, Messrs. Cartwright, Elliott, Burnett, and North of Yolo were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

APPROVAL OF JOURNAL.

The Journal of January 12th was approved.

READING OF THE JOURNAL.

During the reading of the Journal of yesterday, Mr. Dibble moved that the further reading be dispensed with.

So ordered.

MOTION.

Mr. Jones moved that the vote by which the Journal of January 11th was approved be reconsidered.

Mr. Price raised the point of order that one day's notice had not been given.

The Chair decided the point well taken.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1897.

MR SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill as follows, viz: Assembly Bill No. 152—An Act to amend Section 529 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public printing—and presented the same to the Governor on this day, at ten o'clock and thirty minutes A. M.

FONTANA, Chairman.

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1897.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 26—An Act to amend Section 15 of an Act entitled an Act

amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867," approved March 30, 1868.

Also: Assembly Bill No. 30—An Act regulating the mode of operating mines where blasting is being done, and providing for the printing and circulating of copies of this Act.

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

SOWARD, Chairman.

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Assembly Bill No. 103—An Act to amend Sections 541 and 542 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 that it be referred back to the Committee on Judiciary.

DIBBLE, Chairman.

Adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Assembly Bill No. 126—An Act to amend Section 1880 of the Code of Civil Procedure of the State of California, relating to witnesses—have had the same under consideration, and respectfully report a substitute therefor, and recommend that it do pass.

Also: Assembly Bill No. 155—An Act to amend Section 1121 of the Penal Code, relating to jurors in criminal cases—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: An Act to amend Section 3817 of the Political Code of the State of California, relating to the redemption of real estate sold for taxes.

Also: Assembly Bill No. 98—An Act to amend Section 1369 and Section 1379 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the competency and appointment of administrators of estates of deceased persons.

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

DIBBLE, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1897.

MR. SPEAKER: Your Committee on Mileage, to whom was re-referred that portion of the report on mileage due each member of the Assembly, have had the same under consideration, and respectfully report the same back, and recommend the following report as amended:

Strain	$75 20
Hill	61 20
Damon	63 40
Houghton	25 40
Shanahan	31 60
Soward	24 90
Stansell	16 60
Cutter	10 40
Sanford	51 20
Bridgford	15 40
North of Yolo	9 20
Robinson	14 20
Power of Placer	7 20
Burnham	11 90
Caminetti	13 20
Price	21 60
Keegan	18 20
Coombs	12 40
Anderson	8 20
Sims	----
Ennis	----
Landsborough	1 80
Canavan	21 00
Belshaw	16 00
Foreman	9 60
Austin	14 60
Fontana	18 40

Lacy	$18 00
Allen	18 00
Kelly	18 00
Treacy	18 00
Power	18 00
Godfrey	18 00
Mahoney	18 00
Dolan	18 00
McGrath	18 00
Mulcrevy	18 00
Pohlman	18 00
Jones	18 00
Bettman	18 00
Dibble	18 00
Henry	18 00
Dennery	18 00
Ryan	18 00
Gately	18 00
Clarke	21 80
Waymire	17 80
Leavitt	16 80
Breiling	16 80
North	16 80
Wright	17 80
Goodhue	22 40
Aldridge	37 00
Malcolm	24 80
McLaurin	25 20
Arnerich	28 00
Elliott	23 00
McCandlish	32 20
Rubell	41 80
Keables	67 00
Hudson	35 40
Cartwright	34 80
Moultrie	34 00
McClellan	43 40
Boone	39 80
Emmons	55 40
Burnett	58 60
Harris	76 60
Toland	93 00
Melick	74 00
Vosburg	80 20
Kenyon	93 40
Mead	89 00
Valentine	89 00
Cross	89 00
Chynoweth	94 40
Lindenberger	106 80
Goff	101 20
Guy	114 40
Dryden	115 40
	$2,852 80

BREILING, Chairman.

Adopted.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1897.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 10—An Act entitled "An Act to amend Section 29 of 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 it do pass as amended, and that it be considered and acted upon as an urgency measure.

LINDENBERGER, Chairman.

LEAVE OF ABSENCE.

Mr. Soward moved that leave of absence be granted the Committee on Mines and Mining for the remainder of the day, after eleven o'clock A. M.

So ordered.

Mr. Ennis moved that the Committee on Public Works, State Capitol, and Parks be granted leave of absence for the remainder of the day, after eleven o'clock A. M.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 13, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to concur in Assembly amendment to Senate Concurrent Resolution No. 1, and respectfully request the Assembly to recede from the amendment.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

MOTION.

Mr. Cutter moved that the Assembly do now recede from its amendment to Senate Concurrent Resolution No. 1.

So ordered.

The question now being upon the adoption of Senate Concurrent Resolution No. 1.

Adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1897.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred the following resolution:

"That the Committee on State Hospitals and Asylums be granted leave of absence from Friday noon, January 15th, until Monday noon, January 18th, for the purpose of visiting the asylums at Ukiah and Napa."

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: That on the same visit the committee be empowered to visit the Home for Feeble-Minded at Glen Ellen and the Veterans' Home at Yountville, and that the regular mileage be allowed.

MALCOLM, Chairman.

Adopted.

PROTEST.

Mr. Chynoweth protested against the adoption of the report of the Committee on State Hospitals and Asylums, and asked that the following be entered in the Journal.

Granted.

ASSEMBLY CHAMBER, January 14, 1897.

I hereby protest against the action of the House this day taken in the matter of the resolution of Mr. Malcolm, granting leave of absence to the Committee on State Hospitals and Asylums, and granting mileage to the members of said committee to and from the public institutions named in said resolution, for the following reasons:

First—The expenditure of the public funds for such purpose is entirely unnecessary and uncalled for, and entails a useless burden on the taxpayers of this State.

H. W. CHYNOWETH.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1897.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No 35, have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, but that the author thereof be given leave to withdraw the same.

LINDENBERGER, Chairman.

WITHDRAWAL OF BILL.

Mr. Goff asked unanimous consent to withdraw Assembly Bill No. 35. So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, SACRAMENTO, January 13, 1897.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 152.

JAMES H. BUDD, Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 12, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this 12th day of January, adopted the following:

Senate Concurrent Resolution No. 2, relative to employing additional help to light and heat the Capitol building.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Referred to Committee on Public Buildings and Grounds.

INTRODUCTION OF BILLS.

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

By Mr. Hill: Assembly Bill No. 300—An Act to protect livery-stable keepers by making certain acts punishable as misdemeanors.

Referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 301—An Act to amend Section 1401 and to repeal Section 1402 of the Civil Code of the State of California.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Canavan: Assembly Bill No. 302—An Act to establish a uniform system to enable any city, city and county, city, or town, or municipality to furnish the inhabitants thereof with water for domestic, irrigation, or manufacturing purposes, or use within or without their corporate limits.

Referred to Committee on Municipal Corporations.

By Mr. Damon: Assembly Bill No. 303—An Act to authorize the Board of Fish Commissioners of the State of California to purchase or construct a gasoline launch, to aid in carrying out the purposes of said board, and appropriating money therefor.

Referred to Committee on Fish and Game.

By Mr. Sims: Assembly Bill No. 304—An Act to provide for the appointment of an auditing board to the Commissioner of Public Works, and making an appropriation therefor.

Referred to Committee on Public Works, State Capitol, and Parks.

Also: Assembly Bill No. 305—An Act appropriating $287,000 to pay claims against the State of California known as coyote scalp claims.

Referred to Committee on Claims.

By Mr. Robinson: Assembly Bill No. 306—An Act to provide for the management and operation of railroads above certain elevations.

Referred to Committee on Corporations.

By Mr. Malcolm: Assembly Bill No. 307—An Act to amend Section 1313 of the Civil Code, relating to restriction on the power of devise to charitable uses.

Referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 308—An Act to establish as public schools technical schools endowed by private gift coming within certain requirements, and to encourage such endowments.

Referred to Committee on Education.

By Mr. Kelly: Assembly Bill No. 309—An Act to amend Section 1216 of the Penal Code, relating to the duty of Sheriff on receiving copy of judgment of imprisonment.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Dibble: Assembly Bill No. 310—An Act to amend Section 1255 of the Code of Civil Procedure, relating to costs in condemnation suits.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Mulcrevy: Assembly Bill No. 311—An Act to regulate the liability of railroad corporations with respect to damages sustained by any person, including employés of such corporation, in consequence of the negligence or willful wrongs of said agents, engineers, or other employés.

Referred to Committee on Corporations.

Also: Assembly Bill No. 312—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Referred to Committee on Claims.

By Mr. Cutter: Assembly Bill No. 313—An Act to amend Section 1 of an Act entitled "An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations," approved April 6, 1891.

Referred to Committee on Corporations.

By Mr. Lacy: Assembly Bill No. 314—An Act to provide for the election of members of the governing body of the respective political parties, associations, or organizations, to promote the purity of said elections by regulating the conduct thereof, and to prohibit certain acts and practices in relation to the privilege of free suffrage, and to provide for the punishment thereof.

Referred to Committee on Election Laws.

By Mr. Lindenberger: Assembly Bill No. 315—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 235, relating to the classification of new counties and the reclassification of any existing county, where the population of such county shall have been reduced by the creation of any new county from the territory thereof.

Referred to Committee on County and Township Governments.

By Mr. Treacy: Assembly Bill No. 316—An Act to provide for increasing the efficiency of fire departments within municipalities of the first class in the State of California.

Referred to San Francisco Delegation.

By Mr. Waymire: Assembly Bill No. 317—An Act appropriating the sum of $15,000 for the erection in Golden Gate Park, San Francisco, California, of a monument or statue to the memory of Colonel E. D. Baker, and appointment of a commission to carry into effect the provisions of this Act.

Referred to Committee on Ways and Means.

By Mr. Guy: Assembly Bill No. 318—An Act making an appropriation to pay the claim of John F. Kidder for traveling expenses from August 15, 1893, to December 21, 1896, inclusive.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 319—An Act making an appropriation to pay the sum fixed, awarded, and allowed by the State Board of Examiners as fees for services to date of the additional counsel employed to assist the Attorney-General in the defense of the suit brought in the United States Circuit Court for the Northern District of California, by the Southern Pacific Company, against the Board of Railroad Commissioners of the State of California.

Referred to Committee on Ways and Means.

By Mr. Belshaw: Assembly Bill No. 320—An Act making an appropriation to pay the expenses of experts, and the costs and expenses of litigation, of the suit now pending in the Circuit Court of the United States for the Northern District of California, wherein the Southern Pacific Company is plaintiff and the Board of Railroad Commissioners of the State of California is defendant.

Referred to Committee on Claims.

By Mr. Fontana: Assembly Constitutional Amendment No. 20—To propose to the people of the State of California an amendment to the Constitution of the State, amending Section 1 of Article XIII thereof, relative to revenue and taxation.

Referred to Committee on Constitutional Amendments.

REQUEST TO RE-REFER BILL.

Mr. Bridgford requested that Assembly Bill No. 276 be withdrawn from Committee on Revision of Codes and Statutes and re-referred to Committee on Municipal Corporations.

Granted by unanimous consent.

MOTION.

Mr. Bridgford moved that Assembly Bill No. 10 be made special order for Monday morning, immediately after the reading of the Journal.

So ordered.

RESOLUTION.

By Mr. Valentine:

Resolved, That the Secretary of State be and he is hereby directed to purchase eleven copies of Finlayson's Street Laws of California, and deliver the same to the Committee on Municipal Corporations, and the State Controller is hereby directed to draw his warrant on the fund for the payment of the contingent expenses of the Assembly in payment for the same, and the State Treasurer is hereby authorized to pay said warrant.

On motion of Mr. Valentine, the rules were supended and the resolution adopted.

MOTION.

Mr. Dibble moved that Mr. Shanahan be permitted to occupy Mr. Burnett's seat during his absence.

So ordered.

RESOLUTIONS.

By Mr. Waymire:

Resolved, That the Sergeant-at-Arms of the Assembly is hereby instructed to furnish the Judiciary Committee with twenty-five copies of each printed bill that is referred to said committee.

On motion of Mr. Waymire, the rules were suspended and the resolution adopted.

By Mr. Dibble:

Resolved, That the Secretary of State be and is hereby authorized and directed to furnish the Committees on Judiciary, Revision of Codes, and Election Laws, each one set of Deering's latest edition Annotated Codes.

On motion of Mr. Dibble, the rules were suspended and the resolution adopted.

THE SPEAKER.

At eleven o'clock and forty minutes A. M., Speaker Coombs resumed the chair.

RESOLUTION.

By Mr. Price:

Resolved, That Mr. Guy, Chairman of the Ways and Means Committee, be granted a leave of absence to visit the asylums at Glen Ellen, Ukiah, and Napa, in conjunction with the State Hospitals and Asylums Committee.

MOTIONS.

Mr. Shanahan moved to temporarily pass the consideration of Mr. Price's resolution.

So ordered.

Mr. Shanahan moved to reconsider the vote whereby the report of the Committee on State Hospitals and Asylums was adopted.

Mr. Chynoweth raised a point of order, stating that under the rules it was necessary to give one day's notice for the reconsideration of such vote.

The Speaker ruled the point of order well taken.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on next legislative day he would move to reconsider the vote whereby the report of the Committee on State Hospitals and Asylums was adopted.

RESOLUTIONS.

By Mr. Burnham:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to furnish to the Committee on County and Township Governments fourteen printed copies of each Assembly Bill which has been referred to said committee

On motion of Mr. Burnham, the rules were suspended and the resolution adopted.

By Mr. Power, of Placer:

WHEREAS, It appearing from the list of attachés that the name of elevator boy appears as D. L. Knowles, when, in fact, it should be D. N. Knowles;

Resolved, That the Chief Clerk be and is hereby authorized to make the required change upon the roll of attachés.

On motion of Mr. Power, of Placer, the rules were suspended and the resolution adopted.

ASSEMBLY JOINT RESOLUTION No. 11.

By Mr. Sanford:

WHEREAS, the people of the State of California have been watching with unabated interest the determined purpose of the Pacific Railroads to evade the payment of its just debt due the United States Government; and

WHEREAS, The earnest petitions of this State to the Congress of the United States, as formerly expressed by the signatures of 200,000 of her electors, and more recently by resolution of the Legislature of California, have been so generously granted by the overwhelming defeat of the funding bill; and

WHEREAS, There is still pending another such bill in the Senate of the United States, which will yet be pushed by the untiring efforts of those in charge; now, therefore, be it

Resolved, First, that we express our gratitude to Congress for the good work it has already done; and, second, as an earnest of the sincere wishes of the people of this State that all such measures be ultimately defeated, be it

Resolved, That when we adjourn next Friday, January 15, 1897, that we do so until the Monday following, as an expression of our thanks, and thus further emphasize our wishes concerning any further legislation upon this subject; be it further

Resolved, That the Governor be requested to declare Saturday, January 16, 1897, as a legal holiday for thanksgiving and a day of general rejoicing.

Mr. Sanford moved that the rules be suspended and the resolution immediately considered.

Pending consideration of Mr. Sanford's motion, the previous question was moved by Mr. Cutter and seconded by Messrs. North and Valentine.

The question now recurring on the suspension of the rules.

Roll call was demanded by Messrs. Sanford, Caminetti, and Shanahan.

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

AYES—Messrs. Aldridge, Allen, Boone, Bridgford, Caminetti, Dryden, Emmons, Foreman, Godfrey, Goodhue, Houghton, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, Power of San Francisco, Rubell, Ryan, Sanford, Toland, and Treacy—24.

NOES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Ennis, Goff, Guy, Harris, Hill, Hudson, Jones, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Price, Sims, Shanahan, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—41.

REFERENCE TO COMMITTEE.

Assembly Joint Resolution No. 11 was referred to Committee on Federal Relations.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on next legislative day he would move to reconsider the vote by which Assembly Joint Resolution No. 11 was refused consideration under suspension of the rules.

Mr. Dibble raised the point of order that such notice was not required by the rules.

The Speaker declared the point well taken.

Mr. Shanahan moved that the vote by which Assembly Joint Resolu-

tion No. 11 was refused consideration under suspension of the rules be now reconsidered.

Mr. Dibble moved that the motion be laid on the table.

So ordered.

PERSONAL PRIVILEGE.

Messrs. Kenyon and Chynoweth spoke to question of personal privilege.

RESOLUTION.

By Mr. Sanford:

Resolved, That the Federal Relations Committee be instructed to report Assembly Joint Resolution No. 11 back to the House to-morrow morning, and it be made a special order immediately after reading of Journal.

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

Messrs. Sanford, Shanahan, and Toland demanded roll call.

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

AYES—Messrs. Anderson, Austin, Bettman, Breiling, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Gately, Goff, Goodhue, Guy, Harris, Hill, Hudson, Jones, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, McGrath, North of Alameda, North of Yolo, Pohlman, Price, Stansell, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—36.

NOES—Messrs. Aldridge, Allen, Belshaw, Boone, Bridgford, Caminetti, Dryden, Emmons, Foreman, Godfrey, Houghton, Lacy, Landsborough, Mahoney, Mead, McCandlish, McClellan, McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—25.

APPOINTMENTS BY SPEAKER.

The Speaker announced the appointment of Lewis Cervantes as Page, Robert Bidwell as Porter in Gallery, and C. W. Kyle as Assistant Clerk at desk.

RESOLUTION.

By Mr. Leavitt:

Resolved, That no committee of more than three members shall be hereafter allowed leave of absence for the purpose of visiting State institutions.

Said committees shall be appointed by the Chairman of each standing committee having in charge such institutions.

Referred to Committee on Commissions, Retrenchment, and Public Expenditures.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Waymire: Assembly Bill No. 321—An Act to amend Sections 1444 and 1445 of the Code of Civil Procedure, in relation to appraisements of estates of deceased persons.

Referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 322—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relative to estates of deceased persons.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Wright: Assembly Bill No. 323—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, for the grading and paving of Dwight Way in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished

under a contract with Guy H. Chick, Superintendent of Streets of the Town of Berkeley, California, his authority having been acquired under the general street law of this State.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 324—An Act to change the name of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California to Home for Adult Blind.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 325—An Act to provide for the completion and equipment of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California, and to make an appropriation therefor.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 326—An Act to amend Section 480 of the Civil Code, relating to reports to be made to the Board of Railroad Commissioners by railroad and other transportation companies, and fixing a penalty for failure to comply therewith.

Referred to Committee on Corporations.

Also: Assembly Bill No. 327—An Act adding a new section to the Civil Code, relating to the location of and to compel the construction of depots, stations, sidetracks, switches, turnouts, and spurs by transportation companies in the State of California, and fixing a penalty for failure to comply thereto.

Referred to Committee on Corporations.

By Mr. Gately: Assembly Bill No. 328—An Act to amend Section 633, approved March 27, 1895, amending Section 633 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game.

Referred to Committee on Fish and Game.

By Mr. Harris: Assembly Bill No. 329—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 practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Referred to Committee on Election Laws.

By Mr. Power, of San Francisco: Assembly Bill No. 330—An Act to amend Section 2168 of the Civil Code of the State of California.

Referred to Committee on Corporations.

By Mr. Mead: Assembly Bill No. 331—An Act to amend Section 359, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations, and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof.

Referred to Committee on Corporations.

By Committee on Revision of Codes and Statutes: Assembly Bill No. 332—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Ordered on file for first reading.

GENERAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 134—An Act to amend 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, relating to the office of Commissioner of Public Works.

The question being, "Shall Assembly Bill No. 134 be read the first time?"

So ordered.

Assembly Bill No. 134 read first time, and ordered on second-reading file.

Assembly Bill No. 44—An Act to establish and support a Department of Labor.

Re-referred to Committee on Ways and Means.

Assembly Bill No. 17—An Act fixing the minimum rate of compensation for labor on public works.

The question being, "Shall Assembly Bill No. 17 be read the first time?"

So ordered.

Assembly Bill No. 17 read first time, and ordered on second-reading file.

Assembly Bill No. 83—An Act to amend 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 directions, in the discharge of his duties as such Commissioner," approved March 24, 1893.

The question being, "Shall Assembly Bill No. 83 be read the first time?"

So ordered.

Assembly Bill No. 83 read first time, and ordered on second-reading file.

LEAVE OF ABSENCE.

Messrs. Pohlman and Arnerich were granted a leave of absence for one day.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 15, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Keables, Burnett, Cartwright, and Arnerich were granted leave of absence for the day.

Mr. Emmons was granted leave of absence until Wednesday noon.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

During the reading of the Journal of yesterday, Mr. Belshaw moved that the further reading be dispensed with.

So ordered.

APPROVAL OF JOURNAL.

The Journal of January 13th was approved as corrected.

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1897.

MR SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No 131, have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same.

BELSHAW, Chairman.

WITHDRAWAL OF BILL.

Mr. Ennis, the author of Assembly Bill No. 131, by unanimous consent of the House, was allowed to withdraw the same.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1897.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 11, have had the same under consideration, and respectfully report the following as a substitute therefor, and recommend that the same do pass:

ASSEMBLY JOINT RESOLUTION No. 12.

Resolved, That the Assembly of California congratulates the people upon the defeat of the refunding bill in Congress, and earnestly protests against the passage of any other bill of like import, whether now pending or to be introduced hereafter, that it is opposed to petitioning the Executive to declare Saturday a legal holiday in honor of the passage or defeat of any bill pending in Congress; that the Executive is vested with power, under Section 10 of the Political Code of the State of California, to declare legal holidays and suspend general business, including all industrial pursuits; and should the Executive of this State deem that such occasion has arisen upon the defeat of the funding bill, or should he deem that such occasion arises upon the passage of a protective tariff law upon the lines of the former McKinley tariff law, the Executive of this State, in the exercise of his discretion, will doubtless proclaim a holiday.

That this Assembly will adjourn at such time as it may deem proper, in view of the public duties which may be imposed upon it from time to time, and will remain in session when it can best subserve the interest of the people of California.

GOODHUE, Chairman.

Mr. North, of Alameda, moved the adoption of Assembly Joint Resolution No. 12, as a substitute for Assembly Joint Resolution No. 11.

Mr. Shanahan raised the point of order that the substitute was not germane to the subject.

The Speaker decided the point of order not well taken.

Mr. Caminetti moved, seconded by Mr. Emmons, that Assembly Joint Resolution No. 12, substitute for Assembly Joint Resolution No. 11, be recommitted to Committee on Federal Relations.

Mr. North, of Alameda, moved the previous question, seconded by Messrs. Chynoweth and Wright.

The question being, "Shall the main question be now put?"

Roll call was demanded by Messrs. Caminetti, Sanford, and Bridgford.

The roll was called, and the previous question ordered by the following vote:

AYES—Messrs. Anderson, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, North of Alameda, North of Yolo, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Wright, and Mr. Speaker—41.

NOES—Messrs. Aldridge, Allen, Boone, Bridgford, Caminetti, Dryden, Elliott, Emmons, Foreman, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—27.

The question now being upon the motion of Mr. Caminetti to recommit.

The ayes and noes were demanded by Messrs. Shanahan, Caminetti, and Sanford.

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

AYES—Messrs. Aldridge, Allen, Belshaw, Boone, Bridgford, Caminetti, Dolan, Dryden, Elliott, Emmons, Foreman, Godfrey, Goodhue, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—32.

NOES—Messrs. Anderson, Austin, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Guy, Harris, Hill, Hudson, Jones, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, North of Alameda, North of Yolo, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Wright, and Mr. Speaker—39.

Mr. Caminetti moved to adjourn.

The ayes and noes were demanded by Messrs. Rubell, Sanford, and Caminetti.

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

AYES—Messrs. Aldridge, Allen, Boone, Caminetti, Elliott, Emmons, Foreman, Keegan, Mahoney, Mead, Mulcrevy, McCandlish, McGrath, Rubell, Ryan, Sanford, Sims, Toland, and Treacy—19.

NOES—Messrs Anderson, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Melick, McClellan, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Shanahan, Soward, Stansell, Strain, Valentine, Vosburg, Wright, and Mr. Speaker—48.

The question now recurring upon the adoption of Assembly Joint Resolution No. 12, substitute for Assembly Joint Resolution No. 11.

The roll was called, and substitute for Assembly Joint Resolution No. 11 adopted by the following vote:

AYES—Messrs Anderson, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dryden, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Power of Placer, Price, Robinson, Sanford, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Wright, and Mr. Speaker—44.

NOES—Messrs Aldridge, Allen, Boone, Bridgford, Caminetti, Dolan, Emmons, Foreman, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McClellan, Power of San Francisco, Rubell, Ryan, Shanahan, Toland, and Treacy—23.

At ten o'clock and forty minutes A. M., the Speaker called Mr. Bridgford to the chair.

NOTICE OF RECONSIDERATION.

Mr. Sanford gave notice that on next legislative day he would move to reconsider the vote by which substitute for Assembly Joint Resolution No. 11 passed.

PROTEST.

Mr. Emmons requested that the following protest be published in the Journal.

Granted.

In the matter of Resolution No. 11, I hereby protest against the substitute resolution and the adoption thereof, for the reason that the Federal Relations Committee had no consideration of the original, nor was it in the hands of the said committee.

EMMONS.

EXPLANATION BY CHIEF CLERK.

Chief Clerk S. J. Duckworth requested leave to insert the following in the Journal:

Assembly Joint Resolution No. 11 has not been delivered to the Committee on Federal Relations, because up to this hour it is where the rules of the House provide it should be—in the hands of the State Printer. I hold his receipt for it.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 144—An Act to secure the payment of the claims of materialmen, mechanics, or laborers employed by contractors upon State, municipal, or other public work—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. 22—An Act to amend Section 5 of 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 as amended.

Also: Assembly Bill No. 21—An Act entitled an Act to amend Section 1 of an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VALENTINE, Chairman.

Assembly Bill No. 144 re-referred to Committee on Judiciary.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 11—To amend an Act entitled "An Act for relief of insolvent debtors."

Also: Assembly Bill No. 12—Amending Code of Civil Procedure, relating to the time of commencing actions.

Also: Assembly Bill No. 41—To amend Section 1469 of an Act relating to the support of families of deceased persons, etc.

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

Also: Assembly Bill No. 33, relative to remission of costs in Justice Court actions—

have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Labor and Capital.

Also: Assembly Bill No 42, relating to the time of paying taxes—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

WAYMIRE, Chairman.

Assembly Bill No. 33 re-referred to Committee on Labor and Capital.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1897.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 46, have had the same under consideration, and respectfully report the same back, and recommend that same do pass as amended.

Also: That Assembly Bill No. 80 do pass.

Also: That Assembly Bill No. 49 do not pass, and Assembly Bill No. 48 without recommendation.

DENNERY, Chairman.

ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, January 15, 1897.

MR. SPEAKER: Your Committee on Contested Elections having had under consideration the case of Hoey vs. Power, of San Francisco, hereby ask permission to conduct the case in said city, on and after January 19th, for by so doing a saving will result to the taxpayers of at least $760, as the following estimate will show, viz.:

Witnesses claimed to be necessary by contestant and contestee, 43, three days each, $2 per diem		$258 00
Mileage, 43 persons at $16 80		722 40
Minimum cost of contest in Sacramento		$980 40
Mileage of Committee and Clerk, 8 persons, at $16 80	$134 40	
Per diem of 43 witnesses, at $2	86 00	
		220 40
Saving to State		$760 00

KENYON, Chairman.

Mr. Kenyon moved to adopt the report of the Committee on Contested Elections.

Mr. Chynoweth moved to lay the report over one day.

Lost.

Mr. Anderson moved to amend the report as follows:

That the Chairman of the Committee on Contested Elections be empowered to appoint two more members of said Committee to proceed to San Francisco with himself and clerk, for the purpose of taking testimony in the several contested election cases there, and that they be allowed the actual cost of mileage.

Amendment lost.

Report of Committee on Contested Elections adopted.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1897.

MR. SPEAKER. Your Committee on Ways and Means, to whom was referred Assembly Bill No. 43—An Act appropriating the sum of $3,500 for the erection of a California inaugural exhibition arch in the City of Washington, D C —have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

GUY, Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1897.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Bill No 19, have had the same under consideration, and recommend that the same do pass.

Also: That Assembly Bill No 20 do pass as amended.

Also: That Senate Joint Resolution No. 2 do pass.

Also: That Assembly Joint Resolutions Nos. 4, 5, and 7 do pass.

GOODHUE, Chairman.

WITHDRAWAL OF REPORT AND RESOLUTION.

Mr. Malcolm, by unanimous consent, was permitted to withdraw the report and also the resolution offered yesterday by Committee on Hospitals and Asylums.

RE-REFERENCE OF BILLS.

Assembly Bill No. 184 re-referred to San Francisco Delegation.
Assembly Bill No. 259 re-referred to Committee on Labor and Capital.
Assembly Bill No. 135 re-referred to San Francisco Delegation.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1897.

MR SPEAKER: Your Committee on Rules and Regulations, to whom was referred the following resolution, introduced by Mr. Strain: "*Resolved*, That the hour closing the post office of the Assembly be changed from six o'clock to five o'clock P. M.," beg to report the following as a substitute:

"*Resolved*, That the Assembly Chamber be kept open for members until ten o'clock P. M; that the elevator be run until that hour; that the post office be kept open until ten o'clock P M, and that the Sergeant-at-Arms be charged with the enforcement of this order," and respectfully report the same, and recommend that it be adopted.

Laid over one day.

Also: Report the following as a substitute for Rule LXVII:

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; *provided*, that the Committee on Rules and Regulations may at any time, except during a roll call, report a temporary rule providing for the consideration of any bill on the files of the House belonging to either of the following classes:

1. Bills affecting the State government, its revenue, its various departments or commissions, or appropriations therefor.
2. Bills affecting county and township governments, or roads and highways.
3. Bills affecting town, city, city and county governments, or the municipal affairs of the same.
4. Amending election laws.
5. Bills recommended by the Code Commission

Such temporary rule shall provide when a bill so selected shall be taken up for consideration, and the time when final vote shall be taken thereon and pending amendments thereto, if there be any

It shall always be in order to call up for consideration such report. The same shall be subject to amendment by the House

On the adoption of such temporary rule by the House by a two-thirds vote thereof, if the bill be on third reading, and by a majority vote of the members elected to the House if otherwise, such bill shall thereupon be made the special order for the time fixed therein

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, and recommend that it be adopted

CHYNOWETH, Chairman.

Laid over one day.

Also: Do hereby report the following Joint Rules of Senate and Assembly, and recommend their adoption:

I.—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.

II.—BILL OR RESOLUTION IN 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.

III.—REJECTED BILLS REQUIRE FIVE DAYS' NOTICE AND TWO-THIRDS VOTE FOR RE-INTRODUCTION.

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.

IV.—EACH HOUSE TO TRANSMIT PAPERS.

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

V.—DISAGREEMENT, ADHERED TO, DEFEATS THE BILL.

After each house shall have once adhered to its disagreement, a bill or resolution shall be lost.

VI.—NO APPROPRIATION EXCEPT BY BILL.

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

VII.—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.

VIII.—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.

IX.—UNANIMOUS CONSENT FOR EXTRA PAY.

No extra pay or increase in the pay of any officer or attaché of the Senate or Assembly shall be made, nor shall there be any additional attachés other than those provided for by statute, unless by four-fifths vote.

X.—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.

XI.—BILLS READ AND REFERRED TO COMMITTEE—NO SUBMISSION WITHOUT THREE-FOURTHS VOTE.

When a Senate bill has been received by the Assembly, or an Assembly bill by the Senate, with a message announcing that the same has passed the Senate or Assembly, such bill shall be read the first time by the Secretary or Clerk and referred to a standing committee. But no substitution of either a Senate or an Assembly bill shall be made without leave first obtained by a three-fourths vote of the house in which such consideration is had.

XII.—SPECIAL FILE.

After the 23d day of January, 1897, 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.

XIII.—FEES ALLOWED IN CASES OF CONTEST.

Whenever, in the Senate or Assembly, a contest is made for the seat of any Senator or Assemblyman, no more than $200 shall be allowed as counsel fees for the sitting member and $100 for the contesting member, regardless of who is seated.

XIV.—BILLS NOT TO BE PRINTED FOR ENGROSSMENT UNLESS AMENDED.

Unless bills have been amended they shall not be again printed for engrossment, but the Engrossing Clerk shall use a copy of original printed bill in an engrossed bill cover, and report same back immediately after comparing same

XV.—MODE OF INTRODUCING AND PASSING A BILL IN EITHER THE SENATE OR ASSEMBLY.

A bill shall be presented in the following manner:

When a Senator or member of the Assembly desires to introduce a bill for consideration, he shall rise in his place and address the President of the Senate (if a Senator) or the Speaker of the Assembly (if a member of the Assembly), and if recognized by the presiding officer shall state his desire. The bill shall then be sent to the Secretary of

the Senate (if a Senate bill) or Clerk of the Assembly (if an Assembly bill), who shall number and read same, which shall be the "first reading of the bill." The President of the Senate or Speaker of the Assembly shall then assign the bill to its proper committee. The Secretary of the Senate or Clerk of the Assembly shall, after making the proper indorsements thereon, and within a reasonable time thereafter, deliver the bill to the chairman of the committee to which such bill has been assigned.

XVI.—AFTER BILL IS REPORTED FROM COMMITTEE.

Upon the report of the bill from the committee to the Senate or Assembly, it shall be placed upon the General File for the following day and in its regular order for second reading, unless otherwise ordered by the Senate or Assembly. (See Rule — for bills reported unfavorably.)

XVII.—SECOND READING OF BILLS.

Upon the second reading of a bill the question shall be: "Shall the bill be read a second time?" and if so ordered (and it be a Senate bill) then the Secretary of the Senate or (if an Assembly bill) the Clerk of the Assembly shall read the bill by sections, and as each section is read, the President of the Senate or Speaker of the Assembly shall state the question: "Are there any amendments to this section?" at which time any Senator or member having an amendment or amendments to offer, shall, upon recognition by the presiding officer, send to the Secretary's or Clerk's desk, such amendment or amendments in writing. After the reading of such amendment or amendments, the question shall be upon the adoption of the same. Each amendment shall be printed in full in the Journal of the Senate or Assembly (as the case may be), and mention made whether the amendment was "adopted" or "lost"

When the Secretary of the Senate or Clerk of the Assembly shall have finished reading the bill by sections, the presiding officer shall state the question: "Are there any further amendments to the bill?" When all amendments have been submitted the question shall be: "Shall the bill be ordered engrossed and to a third reading?"

When a bill shall have been reported as correctly engrossed, it shall be placed on the General File for third reading, in the order received from the Engrossing Clerk.

XVIII.—THIRD READING OF BILLS.

Upon the third reading of a bill the question shall be: "Shall the bill be read a third time?" and if so ordered (and if it be a Senate bill) the Secretary of the Senate or (if an Assembly bill) the Clerk of the Assembly shall read the bill at length, when the question shall be upon the final passage of the bill. If the bill shall have received the requisite number of votes, it shall be declared "passed." The title shall then be read and approved After the proper indorsements have been made on the bill, and the entries made in the Register of Bills kept for that purpose, the Secretary of the Senate (if it be a Senate bill) or the Clerk of the Assembly (if it be an Assembly bill) shall transmit the bill to the branch of the Legislature other than the one in which the bill was introduced, as soon thereafter as possible.

XIX.—AFTER A BILL HAS BEEN PASSED BY THE SENATE OR ASSEMBLY.

When a bill (if it be a Senate bill) has been received from the Senate by the Assembly, after its passage, or (if it be an Assembly bill) has been received from the Assembly by the Senate, after its passage, it shall be taken up by the Senate or Assembly, as the case may be, under the regular order of business ("Senate Messages" or "Assembly Messages"), read the first time, and shall then be assigned to the proper committee, who shall report it within ten days, if received on or before January 25th, and within five days if received after January 25th, unless otherwise ordered by the Senate or Assembly.

XX.—AFTER A PASSED BILL IS REPORTED FROM COMMITTEE.

When a bill that has passed either the Senate or Assembly has been reported from the committee to which it has been assigned, it shall be placed on the General File in its regular order, and the proceedings shall be the same as herein provided for the passage of a bill; *provided, however*, that no part of this rule shall be construed to conflict with the rules governing the introduction and passage of a bill.

XXI.—CLERK TO ATTACH AMENDMENTS TO BILL.

If a Senate bill shall have been amended by the Assembly, the Clerk of the Assembly shall attach the amendments adopted by the Assembly to the Senate bill.

XXII.—SECRETARY TO ATTACH AMENDMENTS TO BILL.

If an Assembly bill shall have been amended by the Senate, the Secretary of the Senate shall attach the amendments adopted by the Senate to the Assembly bill.

XXIII.—CLERK TO RETURN BILL TO SENATE.

After a Senate bill has passed the Assembly or has been refused passage by the Assembly, the Clerk of the Assembly shall, after making the proper indorsements thereon and the proper entries in the Register of Bills, return the bill to the Senate, and in the Assembly message, which must accompany same, mention the action taken by the Assembly.

XXIV.—SECRETARY TO RETURN BILL TO ASSEMBLY.

After an Assembly bill has passed the Senate, or has been refused passage by the Senate, the Secretary of the Senate shall, after making the proper indorsements thereon and the proper entries in the Register of Bills, return the bill to the Assembly, and in the Senate message, which must accompany same, mention the action taken by the Senate.

XXV.—ENROLLMENT.

When a Senate bill has been returned from the Assembly, or an Assembly bill from the Senate, after its passage, it shall be considered in the regular order of business ("Senate Messages" or "Assembly Messages"), and ordered to enrollment.

XXVI.—TO CONCUR OR REFUSE TO CONCUR IN AMENDMENTS.

In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments.

XXVII.—WHEN AMENDMENTS ARE CONCURRED IN.

If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Clerk shall notify the house making the amendments, and the bill shall be ordered to enrollment.

XXVIII.—WHEN SENATE OR ASSEMBLY REFUSE TO CONCUR.

If the Senate refuse to concur (if it be a Senate bill), or the Assembly refuse to concur (if it be an Assembly bill), the Secretary or Clerk shall notify the house making the amendments of the action taken, and ask that they recede from their amendments. If they refuse to recede, a Committee on Conference shall be appointed, consisting of six members, three to be appointed by the President of the Senate and three by the Speaker of the Assembly. The Committee on Conference shall report to both the Senate and Assembly.

XXIX.—COMMITTEE ON CONFERENCE.

1. In every case of an amendment of a bill agreed to in one house and dissented from in the other, if either house shall request a conference and appoint a committee to confer, the other house shall appoint a like committee, and such committee shall meet at a convenient hour, to be agreed upon by 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 action thereon.

2. When Conference Committee shall meet: When either house shall require a conference, and appoint a committee for that purpose, and the other house shall also appoint a committee to confer, such conference shall be held at any time and place, to be agreed upon by their Chairmen; and in all cases where a conference takes place, the committee shall be composed of members who vote in the majority on the point or points of difference, but the committee shall not have power or control over any part of the bill or resolution except such parts upon which a difference exists between the two houses.

XXX.—FREE CONFERENCE COMMITTEE.

If the Committee on Conference fail to agree, or either the Senate or Assembly refuse to adopt the report of the committee, it shall then be in order to appoint a Committee on Free Conference.

A Committee on Free Conference shall consist of six members, to be appointed in the same manner as a Committee on Conference

The Committee on Free Conference are hereby empowered to suggest in their report any new amendments which they may adopt as a committee, but such amendments made by such committee shall be attached to the bill.

The report of a Committee on Free Conference shall be final, and must be accepted as such.

XXXI.—WHEN CONFERENCE COMMITTEE REPORT IS IN ORDER.

The presentation of report of Committee on Conference or Free Conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is dividing, or during roll call; and when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed and shall be determined without debate.

XXXII.—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.

XXXIII.—SECRETARY, CLERK, 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.

XXXIV.—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.

XXXV.—ENROLLED BILLS TO RECEIVE SIGNATURE OF PROPER OFFICER.

After a bill shall have passed both houses, it shall be duly enrolled and carefully compared by the Enrolling Clerk and Enrolling Committee of the Assembly or of the Senate, as the bill may have originated, 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.

XXXVI.—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 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.

XXXVII.—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.

XXXVIII.—ENROLLING COMMITTEE TO PRESENT BILLS 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.

XXXIX.—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.

XL.—THE DAILY FILE SHALL BE AS FOLLOWS:

1. All bills making appropriations for the State Government.
2. All constitutional amendments.
3. Third reading of bills.
4. Second reading of bills
5. Bills to be considered during the twelve days preceding adjournment, and to be (1) Joint resolutions, (2) Bills making appropriations for deficiency in any State department, (3) Bills providing for payment of claims allowed by State Board of Examiners; (4) General Appropriation Bill; (5) Tax Levy Bill.

XLI.—DAILY HISTORY OF BILLS, ETC.

There shall be printed daily, by both the Senate and Assembly, a History of all bills, joint and concurrent resolutions, and constitutional amendments, which shall show the action taken by the house, up to the day preceding the publication of such History. A regular form shall be prescribed, and no other form shall be used.

XLII.—BILLS TO BE READ AT LENGTH.

All bills shall be read at length, when upon the third reading.

XLIII.—SECRETARY AND CLERK TO KEEP REGISTER.

The Secretary of the Senate and Clerk of the Assembly shall keep a register, in which shall be recorded every action taken by the Senate and Assembly on every bill, concurrent or joint resolution, or constitutional amendment

XLIV.—SECRETARY AND CLERK SHALL INDORSE BILLS.

The Secretary of the Senate and Clerk of the Assembly shall indorse, on every original bill, a statement of any action taken by the Senate and Assembly.

XLV.—BILLS TO BE DISTRIBUTED THREE HOURS BEFORE CONSIDERATION.

No bill shall be placed upon final passage until it shall have been printed and distributed at least three hours previous to the consideration of same, and the Sergeant-at-Arms shall keep, in a book provided for that purpose, a record of the hour of distribution of all bills.

XLVI.—WHEN BILLS ARE TO BE REPORTED FROM COMMITTEE.

All bills referred to committee on or before January 25th shall be reported back to the house in which they originated within ten days, and all bills referred to committee after January 25th shall be reported back to the house in which they originated within five days, exclusive of the day they were received by the committee.

XLVII.—A LEGISLATIVE BULLETIN TO BE PRINTED DAILY.

There shall be printed daily, by the Secretary of the Senate and the Clerk of the Assembly, for the use of the respective houses, a Legislative Bulletin, to be distributed before daily sessions begin. The Legislative Bulletin shall contain a list of committees, notices and places of committee meetings, and bills to be considered by committees, together with date of such consideration, and such other matters of importance as may be necessary.

XLVIII.—NO BILLS TO BE INTRODUCED AFTER FIFTIETH DAY.

No bills shall be introduced in either the Senate or the Assembly after the fiftieth day of the session, excepting revenue measures; nor shall any bill be presented to the Governor for approval subsequent to the twelfth day preceding the day of adjournment *sine die*, excepting revenue bills, deficiency bills, and bills for claims against the State.

XLIX.—ADJOURNMENT SINE DIE.

An adjournment *sine die* shall only be made by concurrent resolution, and shall give at least twelve days' notice of time of such anjournment *sine die.*

L.—DISPENSING WITH JOINT RULES.

No joint rule shall be dispensed with except by vote of two thirds of each house; and if either house shall violate a joint rule a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the rules of such house; and if it shall be decided that the joint rules have been violated, the bill involving such violation shall be returned to the house in which it originated, without further action. Or, at the option of such house, the President or Speaker may direct the Secretary or Clerk to mark the section or sections in conflict with the rules as non-concurred in or negatived.

CHYNOWETH, Chairman.

Mr. Chynoweth moved that the report of Committee on Rules, amending the rules, be laid over one day, and be printed in the Journal.

So ordered.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the following resolution, introduced by Mr. Landsborough:

WHEREAS, It has come within the notice of the members of the Assembly that the ladies' waiting-room on the first floor of the Capitol building has been assigned to the use of certain committees of this House; and

WHEREAS, Said room was especially set apart by resolution for the use of ladies only, by Statutes of 1887, page 3; therefore, be it

Resolved, That the Secretary of State be and he is hereby requested to place some other room or rooms at the disposal of said committees, and that said ladies' waiting-room be kept exclusively for the use of the ladies, as it was originally intended it should be.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CHYNOWETH, Chairman.

Adopted.

RESOLUTIONS.

By Mr. Bettman:

Resolved, That the Secretary of State is hereby authorized and directed to purchase an extra set of Codes for Assemblyman Dryden, and the Controller is hereby authorized and directed to draw his warrant for the same, payable out of the Contingent Fund of the Assembly.

On motion of Mr. Bettman, the rules were suspended and the resolution adopted.

By Mr. Kenyon:

Resolved, That the Committee on Contested Elections be allowed a set of Annotated Codes of the State of California, the same to be paid for out of the Contingent Fund of

the Assembly, and the Controller is hereby authorized and directed to draw his warrant for the purchase of same.

On motion of Mr. Kenyon, the rules were suspended and the resolution adopted.

APPOINTMENTS.

The Speaker announced the appointment of Messrs. Cross and Bridgford to the Committee on Swamp and Overflowed Lands.

PAY OF TEMPORARY OFFICERS.

Mr. Shanahan moved that the Committee on Attachés and Employés be instructed to report back Mr. Dryden's resolution relating to the pay of temporary officers of this Assembly.

Mr. North, of Alameda, moved to lay Mr. Shanahan's motion on the table.

Roll call demanded by Messrs. Shanahan, Landsborough, and Emmons.

The roll was called, and the motion laid on the table by the following vote:

AYES—Messrs. Anderson, Austin, Belshaw, Bettman, Burnham, Canavan, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Kelly, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Wright, and Mr. Speaker—41.

NOES—Messrs. Aldridge, Allen, Boone, Bridgford, Caminetti, Chynoweth, Dolan, Dryden, Elliott, Emmons, Foreman, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Rubell, Sanford, Shanahan, Toland, and Treacy—28.

RESOLUTION.

By Mr. Bettman:

Resolved, That when the Assembly adjourn, it adjourn to meet at twelve o'clock meridian, Monday next, and that it do so out of respect to the memory of the Rev. Obadiah Summers, deceased, Chaplain of the thirty-first session of the Assembly of the Legislature.

On motion of Mr. Bettman, the rules were suspended and the resolution adopted.

MR. DIBBLE CALLED TO THE CHAIR.

The Speaker called Mr. Dibble to the chair.

INTRODUCTION OF BILLS.

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

By Mr. Dennery: Assembly Bill No. 333—An Act to amend Section 8 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, 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, relative to stenographers.

Referred to Committee on Judiciary.

Also: Constitutional Amendment No. 21—A resolution proposing an amendment to Section 1 of Article XVIII of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

Also: Assembly Bill No. 334—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 privileges of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof; and providing for the use of party vignettes and the protection thereof, and repealing all other Acts in conflict with this Act.

Referred to Committee on Election Laws.

By Mr. Soward: Assembly Bill No. 335—An Act to provide for the establishment of a board of examiners for the California State Therapeutic Society and College, which is to be self-sustaining.

Referred to Committee on Judiciary.

By Mr. Emmons: Assembly Bill No. 336—An Act entitled an Act to restrain the racing, running, trotting, or pacing of certain animals on racetracks in this State between certain days, and limiting the period during which it shall be lawful to permit to 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.

Referred to Committee on Public Morals.

By Mr. Price: Assembly Bill No. 337—An Act to repeal 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.

Referred to Committee on Corporations.

By Mr. Mulcrevy: Constitutional Amendment No. 22—An amendment to Section 1 of Article XIV of the Constitution of the State of California, relative to the manner of fixing rates for the use of water supplied to cities or cities and counties having a population of one hundred thousand inhabitants and over, or the inhabitants thereof.

Referred to Committee on Constitutional Amendments.

By Mr. Landsborough: Assembly Bill No. 338—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 1329 thereof, relating to the payment of expenses of witnesses in criminal cases.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Sims: Assembly Bill No. 339—An Act to appropriate $4,750 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.

Referred to Committee on Ways and Means.

By Mr. Guy: Assembly Bill No. 340—An Act making an appropriation to pay the claim of Clement Bennett for reporting in the case of The Southern Pacific Company vs. The Board of Railroad Commissioners.

Referred to Committee on Ways and Means.

By Mr. Shanahan: Assembly Bill No. 341—An Act relating to rights of way across mining claims.

Referred to Committee on Mines and Mining Interests.

By Mr. Leavitt: Assembly Bill No. 342—An Act to protect and promote the canning interests of the State, and to regulate the labeling of canned vegetables, fruits, fish, and meats.

Referred to Committee on Fish and Game.

By Mr. Lindenberger: Assembly Bill No. 343—An Act to provide for the protection and preservation of public highways from damage by storm-waters and floods, and to authorize the expenditure of public moneys for the purpose thereof.

Referred to Committee on Roads and Highways.

By Mr. Kenyon: Assembly Bill No. 344—An Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State," approved March 19, 1889.

Referred to Committee on Horticulture.

By Mr. Melick: Assembly Bill No. 345—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 39 thereof.

Referred to Committee on Irrigation.

Also: Assembly Bill No. 346—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 funding the bonded indebtedness of such irrigation districts.

Referred to Committee on Irrigation.

By Mr. Treacy: Assembly Bill No. 347—An Act to amend Sections 237, 245, 246, and 268 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Anderson: Assembly Bill No. 348—An Act to amend Section 415 of the Political Code, by providing for the purchase of digests of the decisions of the Supreme Court and their distribution to certain Justices of the Peace.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Coombs: Assembly Bill No. 349—An Act to provide for the purchase of land, the purchase of machinery, and construction of a dam and other improvements by the Trustees of the Napa State Asylum for the Insane, and appropriating money therefor.

Referred to Committee on State Asylums and Hospitals.

GENERAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 134—An Act to amend 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, relating to the office of Commissioner of Public Works.

Passed on file.

Assembly Bill No. 17—An act fixing the minimum rate of compensation for labor on public works.

The question being, "Shall Assembly Bill No. 17 be read second time?"

So ordered.

Assembly Bill No. 17 read second time.

Ordered to engrossment and third reading.

Assembly Bill No. 83—An Act to amend 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 directions, in the discharge of his duties as such commissioner," approved March 24, 1893.

Referred to Committee on Ways and Means.

FIRST-READING FILE.

Assembly Bill No. 26—An Act to amend Section 15 of an Act entitled an Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867," approved March 30, 1868.

The question being, "Shall Assembly Bill No. 26 be read first time?"

So ordered.

Assembly Bill No. 26 read first time, and ordered on second-reading file.

Assembly Bill No. 30—An Act regulating the mode of operating mines where blasting is being done, and providing for the printing and circulating of copies of this Act.

The question being," Shall Assembly Bill No. 30 be read first time?"

So ordered.

Assembly Bill No. 30 read first time, and ordered on file for second reading.

Assembly Bill No. 332—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Passed on file.

Assembly Bill No. 155—An Act to amend Section 1121 of the Penal Code, relative to jurors in criminal cases.

The question being, "Shall Assembly Bill No. 155 be read first time?"

Refused first reading.

Assembly Bill No. 13—An Act to amend Section 3817 of the Political Code of the State of California, relating to the redemption of real estate sold for taxes.

The question being, "Shall Assembly Bill No. 13 be read first time?"

So ordered.

Assembly Bill No. 13 read first time, and ordered on file for second reading.

Assembly Bill No. 98—An Act to amend Section 1369 and Section 1379 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the competency and appointment of administrators of estates of deceased persons.

The question being, "Shall Assembly Bill No. 98 be read first time?"

So ordered.

Assembly Bill No. 98 read first time, and ordered on file for second reading.

MOTION.

Mr. Coombs moved that the Committee on Attachés and Employés be instructed to report on the resolution introduced by Mr. Dryden on Monday next.

So ordered.

RESOLUTIONS.

By Mr. Emmons:

Resolved, That this House instruct the Controller to withhold all warrants for furniture purchased during this thirty-second session of the Legislature, ostensibly for the use of the various committees of the said Assembly, until the said purchase can be investigated by a committee appointed for that purpose.

Mr. Emmons moved that the rules be suspended and the resolution be immediately considered.

So ordered.

Resolution adopted.

By Mr. Bridgford:

Resolved, That only the Chairmen of committees be allowed to visit public institutions, and where appropriations are asked for by such institutions, that such Chairman be allowed an expert to accompany him, and the necessary expense connected therewith be paid out of the contingent expense fund.

Referred to Committee on Public Buildings and Grounds.

ASSEMBLY JOINT RESOLUTION No. 13.

By Mr. Chynoweth (out of order): Assembly Joint Resolution No. 13, relative to the struggle of the people of Cuba for a free and independent government:

WHEREAS, For two years last past the patriotic people of the Island of Cuba have been engaged in a struggle with Spain to secure a free and independent government; and

WHEREAS, The patriotic armies of Cuba for more than two years have been engaged in active warfare with the armies of Spain, the forces of Spain being greatly superior to those of Cuba, both in numbers and equipments; and

WHEREAS, The Cuban forces now have possession of the entire Island of Cuba, with the exception of a few isolated fortified cities and towns; and

WHEREAS, The Government of Spain has sent more than two hundred thousand well-equipped troops to the Island of Cuba for the purpose of preventing the people of Cuba from realizing their desire to become a free and independent people; and

WHEREAS, The said forces of Spain, being unable to suppress the determination of the people of Cuba to establish and maintain a free and independent government, have laid waste and destroyed with fire and sword many of the fairest portions of Cuba; and

WHEREAS, The forces of Spain, being unable to successfully cope with the patriotic armies of Cuba upon the field of battle, have been for more than six months last past ruthlessly slaughtering the unprotected and non-combatants in cold blood, without regard to age, sex, or condition; and

WHEREAS, The extinction of Spanish title and the termination of Spanish control of the islands at the gateway of the Gulf of Mexico are necessary to the welfare of these islands and to the people of the United States; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That the people of the State of California extend their sympathy to the people of Cuba in their struggle for freedom and independence; and be it further

Resolved, That we request the United States of America to recognize the Republic of Cuba as a free and independent government, and accord to the people of Cuba all the rights of a sovereign and independent government in the ports and in the jurisdiction of the United States of America; and be it further

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

Referred to Committee on Federal Relations.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1897.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No. 263—An Act making an appropriation for support of the State Printing Office for the forty-eighth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LEAVITT, Chairman.

Referred to Committee on Ways and Means.

ADJOURNMENT.

At twelve o'clock and five minutes P. M., on motion of Mr. Bettman, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 18, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Anderson, Arnerich, Austin, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Ennis, Foreman, Gately, Godfrey, Goft, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Power of Placer, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Pohlman, Price, Fontana, Waymire, Kenyon, Jones, and Power of San Francisco were granted leave of absence for the day, and Mr. Moultrie, owing to protracted illness, for an indefinite time.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

The reading of the Journal of Friday, January 15th, was dispensed with.

APPROVAL OF JOURNAL.

The Journal of Friday, January 15th, was approved.

SPECIAL ORDERS.

Assembly Bill No. 10—An Act to amend Section 29 of 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.

The question being, "Shall the bill be read first time?"

So ordered.

Assembly Bill No. 10 read first time.

Mr. Dibble moved that Assembly Bill No. 10 be made special order for to-morrow morning, immediately after reading the Journal.

So ordered.

COMMUNICATION AND APPOINTMENTS.

The Speaker announced the receipt of the following:

SACRAMENTO, CAL., January 18, 1897.

SPEAKER COOMBS:

DEAR SIR: At a caucus of a minority of the Assembly, held January 14, 1897, the following-named Assemblymen were selected to act for Assemblyman Moultrie on the committees you have assigned him to, during his illness, and respectfully request you to make the assignment, viz.:

Assemblyman Cartwright—Counties and County Boundaries
Assemblyman Shanahan—Ways and Means.
Assemblyman Toland—Municipal Corporations.

Respectfully,

J. B. SANFORD, Chairman Minority.

Attest: W T HAMILTON, Clerk

There being no objection, the Speaker announced the appointments as requested in the communication.

PETITION.

By Mr. Guy: Petition of residents and taxpayers of San Diego County against the repeal of the Wright Irrigation Act.

Referred to Committee on Irrigation.

REPORTS OF STANDING COMMITTEES.

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Assembly Bills Nos. 273, 289, 292, 293, 294, 295, 297, 298, 301, 309, 321, and 125, ask that the same be re-referred to Committee on Judiciary.

DIBBLE, Chairman.

Adopted.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1897.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the resolution offered by Mr. Dryden.

WHEREAS, The members of the present Assembly were elected under pledges of economy and retrenchment, demanded by the people in their respective political conventions, which demands were based upon the fact of unnecessary expenditures in past sessions; and

WHEREAS, It is publicly charged that in the temporary organization of the present Assembly some abuses of legal privileges have been committed in the selection of officials and attachés; and

WHEREAS, It is publicly charged that the temporary organization of this session of the Assembly cost the State at least $2,000 more than did that of the last session; therefore, be it

Resolved, That a committee be appointed, consisting of one member from each of the three political organizations here represented, whose duty it shall be to inquire into and report:

First—Whether any unnecessary appointments have been made and unnecessary expenses incurred in such temporary organization, and if so, to what extent;

Second—Whether such unnecessary appointments and expenses are contrary to law,

or due to a strained construction of statutory privilege. And if the latter, to suggest such amendments and restrictions as will prevent a recurrence of like abuses in future.

Have had the same under consideration, and respectfully report the same back, and recommend the adoption of the report herewith.

VOSBURG, Chairman.

MAJORITY REPORT OF COMMITTEE ON ATTACHÉS AND EMPLOYÉS.

Your Committee on Attachés, to whom was referred the resolution introduced by Mr. Dryden, to investigate the amount of expenditures incurred in the temporary organization of the Assembly, beg leave to report as follows:

First—We find, by reference to Section 246 of the Political Code, that the following persons constitute the statutory officers of the Assembly, in addition to the Speaker and the Speaker pro tem.: "One Chief Clerk, one Sergeant-at-Arms, two Assistant Sergeants-at-Arms, one Minute Clerk, one Journal Clerk, one Enrolling Clerk, one Engrossing Clerk, four Porters, four Pages, one Postmaster, and one Assistant Postmaster, and such other officers and employés as may be deemed necessary by the Assembly for the transaction of the business of the Assembly."

Second—We further find that the above section was approved January 29, 1891, and was intended to restrict the abuses now complained of, but which has signally failed in doing so, as is evidenced by the largely increased list of appointees made during each session since that time.

Third—We further find that if a construction of this law can be so stretched as to confer upon the Chief Clerk, as he claims it does, the authority to make as many appointments in effecting a temporary organization as it was intended should be a sufficient number to properly conduct the business of the House when fully organized for business, then your committee is willing to concede that this may have been done, and done with some shadow of authority; but when almost one hundred persons in addition to those above enumerated are placed upon the payroll, and mileage and per diem allowed most of them for seven days, without any authority of law, but in conformity with a bad custom of paying political debts, we find the same, while apparently free from criminal intent, to be a gross abuse of power, and should receive the censure and condemnation of this House; that, notwithstanding the resolution authorizing the payment of these amounts was submitted to this Assembly and passed without a dissenting vote, we find that the full effect of said resolution was not generally understood by most of the members in the noise and confusion incident to the first days of the session.

Fourth—In the limited time allotted us in which to report, as well as a question existing in the minds of your committee as to its power to compel the attendance of witnesses without express authority so to do, we have been unable to ascertain what amounts of money, if any, have been drawn by persons unauthorized so to do, except as above stated. From the Chief Clerk we ascertained that the several amounts approved of by the Assembly for mileage and per diem of officers in effecting a temporary organization to be $4,230 30. From this we deduct amount allowed by law as pay of statutory officers, $620; and amount of warrants allowed, but on which payment has been stopped, $314; total, $934. We find total amount expended without authority, $3,296 30.

Fifth—In conclusion, we recommend that, in order to prevent a recurrence of such abuses, immediate legislation be enacted in the passage of a bill clearly and positively defining the duties of statutory officers of this Assembly, and limiting the number of employés and the compensation they shall receive, as suggested by the Senate Committee on Legislative Business appointed at the thirty-first session.

MINORITY REPORT OF COMMITTEE ON ATTACHÉS AND EMPLOYÉS.

SACRAMENTO, January 18, 1897.

Your Committee on Attachés and Employés was instructed, by order of the Assembly, to report on the resolution introduced by Mr. Dryden.

We submit the following report:

We find that Chief Clerk S. J. Duckworth did appoint ninety-nine attachés not included in the list of statutory officers, which caused an unnecessary expenditure of more than $3,000, which was a gross violation of his privilege as temporary presiding officer of the Assembly.

We find that we, as a Committee on Attachés and Employés, have not power to investigate this matter to the extent demanded by the people of this State.

Therefore, we recommend that an investigating committee of three be appointed by the Speaker, with power to administer oaths and take evidence in all matters relative to attachés, and the acts of all attachés of this Assembly; and that the sum of $250 be allowed said committee, or such part thereof as is necessary to pay the actual expense of said committee; and, further, that the Assembly provide said committee with proper clerks as said committee may need or demand.

JOHN W. KEEGAN.

Mr. Dibble moved that the majority report, and also the substitute of the minority, be published in the Journal, and be made a special order immediately after reading of the Journal.

So ordered.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 263—An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUY, Chairman.

RESOLUTION—(CASE OF URGENCY).

By Mr. Guy:

Resolved, That Assembly Bill No 263 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Mr. Dibble moved that the rules be suspended and Assembly Bill No. 263 be made special order immediately after reading of the Journal to-morrow morning.

So ordered.

Assembly Bill No. 263—An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year.

Read first time.

Mr. Guy moved to make Assembly Bill No. 263 a special order immediately after reading of the Journal to-morrow morning.

So ordered.

EXTENSION OF TIME.

At twelve o'clock and twenty-nine minutes P. M., on motion of Mr. North, of Alameda, the hour of recess was extended one half hour.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the following resolution, introduced by Mr. Henry:

Resolved, That the Committee on Public Printing be increased from seven members to nine members.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Beg leave to report that Rule VII be amended by inserting after the word consideration, in line two, the following: "Whereupon it shall be read the first time and placed upon the proper second-reading file," and respectfully recommend its adoption.

CHYNOWETH, Chairman.

Adopted.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 40—An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays.

Also: Assembly Bill No. 68—An Act to amend an Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State, relating to fees to be paid County Clerks.

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

Also: Assembly Bill No 107—An Act to amend Section 928 of the Penal Code of California, and relating to the appointment of experts to examine the county records—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary.

Adopted.

Also: Assembly Bill No 18—An Act to amend clause 37, Section 25, of County Government Act.

Also: Assembly Bill No. 78—An Act to amend the section referring to jurors' fees in "An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State," approved March 28, 1895.

Also: Assembly Bill No. 153—An Act to amend Section 2 of "An Act to authorize the Boards of Supervisors of the several counties of this State to transfer certain funds," approved April 23, 1880.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 57—An Act to amend Section 792 of the Political Code, so as to prohibit a county officer or his deputy from being a Notary Public—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BURNHAM, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed, viz.:

Assembly Bill No. 17, introduced by Mr Treacy, January 5, 1897, referred to Committee on Labor and Capital—An Act fixing the minimum rate of compensation for labor on public work.

AUSTIN, Chairman.

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1897.

MR. SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred the following resolution, introduced by Mr. Belshaw:

Resolved, That requisitions on the Secretary of State for stationery be limited to $30 each for the Committees on Ways and Means and Judiciary, and $10 each for all other standing committees, all requisitions to be signed by the Chairman.

Have had the same under consideration, and respectfully report the same back, and recommend that it be amended by inserting after the word judiciary the words: "And $15 each for the Committee on County and Township Governments and the Committee on Revision of Codes and Statutes."

MELICK, Chairman.

Adopted.

RESOLUTION.

By Mr. Landsborough:

Resolved, That for and by reason of services rendered by T. W. Measure as Electrician for four days, January 11 to January 15, 1897, the State Controller is hereby directed to draw his warrant in the sum of $20 for the payment of the same, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

EXTENSION OF TIME.

On motion of Mr. North, of Alameda, the hour of adjournment was extended one half hour.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 18, 1897.

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

Senate Joint Resolution No. 9—Relative to Nicaragua Canal.

Also: Senate Joint Resolution No. 7—Relative to the Sloat Monument Bill.

Also: Senate Joint Resolution No. 5—Relative to dredging channel from San Pablo Bay to Mare Island.

F. J. BRANDON, Secretary.

Senate Joint Resolutions Nos. 5 and 7 referred to Committee on Federal Relations.

SENATE JOINT RESOLUTION No. 9.

On the Nicaragua Canal.

WHEREAS, There is now before Congress a bill to secure construction of the Nicaragua Canal, entitled H. R. Bill No 35, introduced by Hon. Mr. Mahon; and

WHEREAS, The State of California, the Pacific Coast, and our entire country will be materially benefited by the beneficent work, therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That we respectfully, but urgently, request the Congress of the United States to enact said bill at its present session, securing to our country the great benefit of a short, cheap waterway between the Atlantic and Pacific oceans, free to all, on equal terms, without discrimination, and under control of the United States Government.

Resolved, That the Governor of California is respectfully requested to telegraph this resolution to the honorable President of the Senate and the honorable Speaker of the House of Representatives

MOTION.

Mr. Dibble moved that the rules be suspended, and Senate Joint Resolution No. 9 immediately considered.

So ordered.

Mr. Shanahan offered the following as a substitute for Senate Joint Resolution No. 9:

JOINT RESOLUTION RELATIVE TO THE CONSTRUCTION OF NICARAGUA CANAL.

WHEREAS, The Pacific Coast States of the Union have been and are suffering arrested development, caused by commercial isolation; and whereas, this commercial isolation is remediable by the construction of the Nicaragua Canal, and the rapid development of the States be reassured; and whereas, the construction of this canal would inure to the incalculable benefit of every part of the United States, in promoting commerce and manufactures, in developing such an enormous coastwise traffic as should more than restore our commercial marine, in making the Gulf of Mexico the center of world navigation, and in doubling the efficiency of our navy; and whereas, the expense of the undertaking may be adequately met by a bond issue, repayable by a sinking fund of half of one per cent set aside annually from canal tolls, so that no burden of increased taxation is imposed on our people, but rather an immensely valuable property acquired; 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 effect such legislation as shall assure the immediate building of the Nicaragua Canal, said canal to be built, owned, and operated by the United States,

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. Dibble moved that Senate Joint Resolution No. 9 be made a special order for to-morrow, immediately after reading of the Journal.

So ordered.

RESOLUTION.

By Committee on Commissions, Retrenchment, and Public Expenditures:

Resolved, That during this, the thirty-second session of the Legislature of the State of California, no permission for leave of absence shall be granted to any standing or sub-committee of a standing committee of the Assembly, except to the Committee on Contested Elections.

Referred to Committee on Attachés and Employés.

INTRODUCTION OF BILLS.

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

By Mr. Cutter: Assembly Bill No. 350—An Act to amend Sections 3657, 3665, 3681, 3728, 3732, 3734, 3746, 3758, 3763, 3801, 3805, 3817, 3820, 3821, 3825, 3843, 3845, 3858, and 3897 of the Political Code, and to add to said Code five new sections, to be numbered Sections 3737,

3739, 3776, 3777, and 3818, and to repeal Sections 3428 and 4083 of said Code; all of said sections relating to public lands and revenue and taxation.

Referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 351—An Act to prevent persons from unlawfully using or wearing the insignia or rosette of the military order of the Loyal Legion of the United States.

Referred to Committee on Military Affairs.

By Mr. Goff: Assembly Bill No. 352—An Act authorizing the Secretary of State to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as Janitor's Clerk, who shall keep the accounts of the supply department, and making an appropriation for the payment of his salary for the remainder of the forty-eighth fiscal year.

Referred to Committee on Judiciary.

By Mr. Arnerich: Assembly Bill No. 353—An Act to amend Section 1881 of the Code of Civil Procedure of the State of California, relating to the examination of witnesses holding certain relations.

Referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 354—An Act to amend Section 1196 of the Political Code, relating to elections.

Referred to Committee on Elections and Election Laws.

By Mr. Cartwright: Assembly Bill No. 355—An Act to amend Section 270 of the Code of Civil Procedure, relative to the qualifications and competency of phonographic reporters of the courts of this State.

Referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 356—An Act to amend Section 120 of the Code of Civil Procedure, relative to the disqualification of Judges and Justices of the Peace.

Referred to Committee on Judiciary.

By Mr. Cutter: Assembly Constitutional Amendment No. 23—Proposed amendment to Article XII of the Constitution, relative to a railroad commission, by striking from said article Sections 22 and 23 thereof.

Referred to Committee on Constitutional Amendments.

By Mr. Gately: Assembly Bill No. 357—An Act for the protection and propagation of shrimps.

Referred to Committee on Fish and Game.

By Mr. Godfrey: Assembly Bill No. 358—An Act to amend Sections 1895, 1912, 1915, 1917, 1919, 1923, 1938, 1951, 1955, 1958, 1962, 1965, 1968, 1982, 1984, 1990, 2003, 2006, 2007, 2220, 2023, 2028, 2031, 2094, and 2101, Political Code, State of California, relating to the National Guard; and to repeal Sections 1913, 1945, 2099, 2105, 2109, and 2110, Political Code, State of California, relating to the National Guard, and to add one new section to the Political Code, State of California, relating to the National Guard, to be known and numbered as Section 1946.

Referred to Committee on Military Affairs.

Also: Assembly Bill No. 359—An Act to repeal an Act entitled "An Act to define the duties of inspectors of rifle practice of the National Guard of California," approved March 30, 1878.

Referred to Committee on Military Affairs.

Also: Assembly Bill No. 360—An Act to amend Section 729, Penal Code, State of California, relating to the National Guard.

Referred to Committee on Military Affairs.

By Mr. Cartwright: Assembly Constitutional Amendment No. 24—Proposed amendment to Article XIII of the Constitution, relative to the levy and collection of a poll tax.

Referred to Committee on Constitutional Amendments.

By Mr. Henry: Assembly Bill No. 361—An Act entitled an Act to amend the Political Code, by adding a new section requiring the State and subdivisions of the State to give preference to goods manufactured or produced in the State, when contracting for or purchasing goods or other property.

Referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 362—An Act entitled an Act to amend the Political Code, by adding a new section prohibiting the imposing of a license upon any person soliciting orders for the sale of any articles manufactured or produced in this State which, under the laws of the United States, cannot be legally imposed upon persons soliciting orders for the sale of like articles manufactured in any of the States of the United States.

Referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 363—An Act entitled an Act to amend the Political Code, by adding a new section requiring all goods, wares, and merchandise made in any prison or other establishment in which convict labor is employed to be branded or labeled for identification.

Referred to Committee on Labor and Capital.

By Mr. Harris: Assembly Bill No. 364—An Act for the relief of district agricultural associations.

Referred to Committee on Agriculture.

By Mr. Bettman: Assembly Bill No. 365—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.

Referred to Committee on Elections.

MOTION.

At one o'clock and twenty minutes P. M., Mr. Guy moved that the Assembly do now adjourn.

Lost.

RECESS.

At one o'clock and twenty-two minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until three o'clock P. M.

REASSEMBLED.

The Assembly reassembled at three o'clock and seven minutes P. M. Speaker Coombs in the chair.

Quorum present.

MOTION.

Mr. Dibble moved to proceed with business where the Assembly left it.

So ordered.

INTRODUCTION OF BILLS—(RESUMED).

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

By Mr. Hill: Assembly Bill No. 366—An Act to add a new section to the Political Code of the State of California, and to be numbered 3477½, relating to the transfer of moneys to the Swamp Land Fund.

Referred to Committee on Swamp and Overflowed Lands and River Improvements.

Also: Assembly Bill No. 367—An Act to amend Sections 3633 and 3820; to repeal Section 3640, and to add a new section, numbered 3658½, to the Political Code of the State of California, relating to the assessment of property and the collection of taxes.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Bridgford: Assembly Bill No. 368—An Act to amend Section 1881 of the Code of Civil Procedure, to provide that persons in certain relations to parties are prohibited from testifying.

Referred to Committee on Judiciary.

By Mr. Stansell: Assembly Bill No. 369—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Referred to Committee on Education.

Also: Assembly Bill No. 370—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Referred to Committee on Education.

Also: Assembly Bill No. 371—An Act making an appropriation for a fence in front of the grounds of the State Normal School building at Chico.

Referred to Committee on Education.

By Mr. North, of Alameda: Assembly Bill No. 372—An Act to amend Sections 739, 769, and 2314 of the Political Code, relating to officers of the Supreme Court and their salaries.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 373—An Act to amend Section 237 of the Political Code of California, relating to the officers of temporary organization of the Legislature.

Referred to Committee on Commissions, Retrenchment, and Public Expenditures.

By Mr. Dibble: Assembly Bill No. 374—An Act to authorize boards of health of municipalities and counties of this State to issue subpœnas for witnesses, and to compel attendance of witnesses before such boards.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 375—An Act to confer further powers upon the boards of health of the municipalities and counties in this State.

Referred to Committee on Judiciary.

By Mr. Caminetti: Assembly Bill No. 376—An Act to appropriate money for the erection of additional buildings at the Preston School of Industry at Ione, and for furnishing and equipping the same.

Referred to Committee on Public Works, State Capitol, and Parks.

Also: Assembly Bill No. 377—An Act to provide for the construction of a reservoir for settling and storing water at the Preston School of Industry, and making an appropriation therefor.

Referred to Committee on Public Works, State Capitol, and Parks.

Also: Assembly Bill No. 378—An Act to provide for certain improvements at the Preston School of Industry, and making an appropriation therefor.

Referred to Committee on Public Works, State Capitol, and Parks.

Also: Assembly Bill No. 379—An Act to provide for the purchase of additional land for the Preston School of Industry at Ione, and making an appropriation therefor.

Referred to Committee on Public Works, State Capitol, and Parks.

By Mr. Lindenberger: Assembly Bill No. 380—An Act to empower the legislative body of any incorporated city or town within the State of California to levy taxes and expend the same in eradicating fruit-tree pests in cities and towns having within their corporate limits two thousand acres or more of fruit trees.

Referred to Committee on Fruit and Vine Interests.

By Mr. Cross: Assembly Bill No. 381—An Act in relation to the care and support of the indigent sick and dependent poor.

Referred to Committee on Municipal Corporations.

By Mr. Strain: Assembly Bill No. 382—An Act to repeal Sections 628*a*, 630, 632*b*, and 633, and to amend Sections 628, 635, and 636 of the Penal Code of the State of California, relating to fish.

Referred to Committee on Fish and Game.

By Mr. Malcolm: Assembly Bill No. 383—An Act to provide for the construction and furnishing of a gymnasium building for the use of the State Normal School at San José, California, and to appropriate money therefor.

Referred to Committee on Education.

By Mr. Bettman: Assembly Bill No. 384—An Act to amend Section 3 of an Act entitled "An Act to confer certain powers upon corporations organized for the purpose of discovering and preventing fires, and of saving property and human life from conflagration," approved April 1, 1876.

Referred to San Francisco Delegation.

By Mr. Ennis: Assembly Bill No. 385—An Act to amend Section 2643 of the Political Code, relating to the duties of Boards of Supervisors respecting roads.

Referred to Committee on Roads and Highways.

By Mr. Mulcrevy: Assembly Bill No. 386—An Act prohibiting the establishing, locating, placing, or maintaining of any hospital, sanitarium, building, or other structure used or intended to be used for the reception, care, or treatment of any person or persons afflicted with any contagious or infectious disease, within three thousand feet of any lake, pond, river, creek, ditch, or reservoir, the water of which is or may be used for domestic purposes other than in said institution; and forbidding any person or corporation from receiving, accepting, caring for, or treating any person or persons afflicted with any contagious or infectious disease in any such hospital, sanitarium, building, or other structure, within three thousand feet of any lake, pond, river, creek, ditch, or reservoir, the water of which is or may be used for domestic purposes other than in said institution.

Referred to Committee on Public Health and Quarantine.

By Mr. Elliott: Assembly Bill No. 387—An Act to amend subdivisions 7, 11, and 15 of Section 1543 of the Political Code, relative to the

powers and duties of Superintendents of Schools and Boards of School Trustees.

Referred to Committee on Education.

By Mr. Sims: Assembly Bill No. 388—An Act to provide for the purchase or construction of a residence for the Governor of California, and to appropriate money therefor.

Referred to Committee on Public Buildings and Grounds.

By Mr. Guy: Assembly Bill No. 389—An Act to amend Section 1912 of the Political Code of the State of California, in reference to the number of companies constituting the National Guard of California, and the location thereof.

Referred to Committee on Military Affairs.

Also: Assembly Bill No. 390—An Act to amend Section 2939 of the Civil Code of the State of California, relating to the satisfaction of mortgages.

Referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 391—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 392—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Referred to Committee on Education.

By Mr. Treacy: Assembly Bill No. 393—An Act authorizing the Treasurer to transfer to the San Francisco Harbor Improvement Fund moneys now in the San Francisco Depot Sinking Fund and San Francisco Depot Fund.

Referred to Committee on Commerce and Navigation.

By Mr. McLaurin: Assembly Bill No. 394—An Act granting permission to the City of San José to erect a high school building for the City of San José upon the grounds of the State Normal School at San José.

Referred to Committee on Education.

WITHDRAWAL AND RE-REFERENCE OF BILLS.

Mr. Wright requested that Assembly Bill No. 119 be withdrawn from the Committee on Municipal Corporations, and referred to the Committee on Corporations.

Granted by unanimous consent.

Mr. Toland requested that Assembly Bill No. 285 be withdrawn from the Committee on Counties and County Boundaries and re-referred to the Committee on County and Township Governments.

Granted by unanimous consent.

REPORT OF STANDING COMMITTEE.

The report of the Committee on Rules and Regulations, submitted on Friday, was called up for consideration.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the following resolution, introduced by Mr. Strain: "*Resolved*, That the hour closing the

post office of the Assembly be changed from six o'clock to five o'clock P. M.," beg to report the following as a substitute:

Resolved, That the Assembly Chamber be kept open for members until ten o'clock P. M; that the elevator be run until that hour; that the post office be kept open until ten o'clock P. M., and that the Sergeant-at-Arms be charged with the enforcement of this order."

And respectfully report the same, and recommend that it be adopted.

Mr. Hill moved the following as a substitute:

SUBSTITUTE.

WHEREAS, The number of hours that should constitute a day's work in public employment should not exceed eight hours; and

WHEREAS, Under the Standing Rules of the Assembly, the Postmistress and Assistant Postmistress of Assembly are obliged to remain in the office and attend to the duties of such for nine hours each day; therefore, be it

"*Resolved*, That the post office of the Assembly shall be opened from nine o'clock A. M. to five o'clock P. M., and during days on which evening sessions are held from seven o'clock and thirty minutes P. M. to nine o'clock P. M, and on Sundays from twelve o'clock M. to two o'clock P. M.

Substitute adopted.

Mr. Dibble moved that the Assembly do now proceed to the consideration of the Joint Rules.

So ordered.

JOINT RULES OF SENATE AND ASSEMBLY.

I.—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.

II.—BILL OR RESOLUTION IN 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.

III.—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

IV.—EACH HOUSE TO TRANSMIT PAPERS.

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

V.—DISAGREEMENT, ADHERED TO, DEFEATS THE BILL.

After each house shall have once adhered to its disagreement, a bill or resolution shall be lost.

VI.—NO APPROPRIATION EXCEPT BY BILL.

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

VII—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.

VIII.—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.

IX.—UNANIMOUS CONSENT FOR EXTRA PAY.

No extra pay or increase in the pay of any officer or attaché of the Senate or Assembly shall be made, nor shall there be any additional attachés other than those provided for by statute, unless by four-fifths vote.

X.—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.

XI.—BILLS READ AND REFERRED TO COMMITTEE—NO SUBMISSION WITHOUT THREE-FOURTHS VOTE.

When a Senate bill has been received by the Assembly, or an Assembly bill by the Senate, with a message announcing that the same has passed the Senate or Assembly, such bill shall be read the first time by the Secretary or Clerk and referred to a standing committee. But no substitution of either a Senate or an Assembly bill shall be made without leave first obtained by a three-fourths vote of the house in which such consideration is had.

XII.—SPECIAL FILE.

After the 23d day of January, 1897, 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.

XIII.—FEES ALLOWED IN CASES OF CONTEST.

Whenever, in the Senate or Assembly, a contest is made for the seat of any Senator or Assemblyman, no more than $200 shall be allowed as counsel fees for the sitting member and $100 for the contesting member, regardless of who is seated.

XIV.—BILLS NOT TO BE PRINTED FOR ENGROSSMENT UNLESS AMENDED.

Unless bills have been amended they shall not be again printed for engrossment, but the Engrossing Clerk shall use a copy of original printed bill in an engrossed bill cover, and report same back immediately after comparing same.

XV.—MODE OF INTRODUCING AND PASSING A BILL IN EITHER THE SENATE OR ASSEMBLY.

A bill shall be presented in the following manner:

When a Senator or member of the Assembly desires to introduce a bill for consideration, he shall rise in his place and address the President of the Senate (if a Senator) or the Speaker of the Assembly (if a member of the Assembly), and if recognized by the presiding officer shall state his desire. The bill shall then be sent to the Secretary of the Senate (if a Senate bill) or Clerk of the Assembly (if an Assembly bill), who shall number and read same, which shall be the "first reading of the bill." The President of the Senate or Speaker of the Assembly shall then assign the bill to its proper committee. The Secretary of the Senate or Clerk of the Assembly shall, after making the proper indorsements thereon, and within a reasonable time thereafter, deliver the bill to the Chairman of the committee to which such bill has been assigned.

XVI —AFTER BILL IS REPORTED FROM COMMITTEE

Upon the report of the bill from the committee to the Senate or Assembly, it shall be placed upon the General File for the following day and in its regular order for second reading, unless otherwise ordered by the Senate or Assembly. (See rule for bills reported unfavorably.)

XVII —SECOND READING OF BILLS.

Upon the second reading of a bill the question shall be: "Shall the bill be read a second time?" and if so ordered (and it be a Senate bill) then the Secretary of the Senate or (if an Assembly bill) the Clerk of the Assembly shall read the bill by sections, and as each section is read, the President of the Senate or Speaker of the Assembly shall state the question: "Are there any amendments to this section?" at which time any Senator or member having an amendment or amendments to offer, shall, upon recognition by the presiding officer, send to the Secretary's or Clerk's desk, such amendment or amendments in writing. After the reading of such amendment or amendments, the question shall be upon the adoption of the same. Each amendment shall be printed in full in the Journal of the Senate or Assembly (as the case may be), and mention made whether the amendment was "adopted" or "lost"

When the Secretary of the Senate or Clerk of the Assembly shall have finished reading the bill by sections, the presiding officer shall state the question: "Are there any further amendments to the bill?" When all amendments have been submitted the question shall be: "Shall the bill be ordered engrossed and to a third reading?"

When a bill shall have been reported as correctly engrossed, it shall be placed on the General File for third reading, in the order received from the Engrossing Clerk.

XVIII.—THIRD READING OF BILLS.

Upon the third reading of a bill the question shall be: "Shall the bill be read a third time?" and if so ordered (and if it be a Senate bill) the Secretary of the Senate or (if an Assembly bill) the Clerk of the Assembly shall read the bill at length, when the question shall be upon the final passage of the bill. If the bill shall have received the requisite number of votes, it shall be declared "passed." The title shall then be read

and approved. After the proper indorsements have been made on the bill, and the entries made in the Register of Bills kept for that purpose, the Secretary of the Senate (if it be a Senate bill) or the Clerk of the Assembly (if it be an Assembly bill) shall transmit the bill to the branch of the Legislature other than the one in which the bill was introduced, as soon thereafter as possible.

XIX.—AFTER A BILL HAS BEEN PASSED BY THE SENATE OR ASSEMBLY.

When a bill (if it be a Senate bill) has been received from the Senate by the Assembly, after its passage, or (if it be an Assembly bill) has been received from the Assembly by the Senate, after its passage, it shall be taken up by the Senate or Assembly, as the case may be, under the regular order of business ("Senate Messages" or "Assembly Messages"), read the first time, and shall then be assigned to the proper committee, who shall report it within ten days, if received on or before January 25th, and within five days if received after January 25th, unless otherwise ordered by the Senate or Assembly.

XX.—AFTER A BILL IS REPORTED FROM COMMITTEE.

When a bill that has passed either the Senate or Assembly has been reported from the committee to which it has been assigned, it shall be placed on the General File in its regular order, and the proceedings shall be the same as herein provided for the passage of a bill; *provided, however*, that no part of this rule shall be construed to conflict with the rules governing the introduction and passage of a bill.

XXI.—CLERK TO ATTACH AMENDMENTS TO BILL.

If a Senate bill shall have been amended by the Assembly, the Clerk of the Assembly shall attach the amendments adopted by the Assembly to the Senate bill.

XXII.—SECRETARY TO ATTACH AMENDMENTS TO BILL.

If an Assembly bill shall have been amended by the Senate, the Secretary of the Senate shall attach the amendments adopted by the Senate to the Assembly bill.

XXIII.—CLERK TO RETURN BILL TO SENATE.

After a Senate bill has passed the Assembly, or has been refused passage by the Assembly, the Clerk of the Assembly shall, after making the proper indorsements thereon and the proper entries in the Register of Bills, return the bill to the Senate, and in the Assembly message, which must accompany same, mention the action taken by the Assembly.

XXIV.—SECRETARY TO RETURN BILL TO ASSEMBLY.

After an Assembly bill has passed the Senate, or has been refused passage by the Senate, the Secretary of the Senate shall, after making the proper indorsements thereon and the proper entries in the Register of Bills, return the bill to the Assembly, and in the Senate message, which must accompany same, mention the action taken by the Senate.

XXV.—ENROLLMENT.

When a Senate bill has been returned from the Assembly, or an Assembly bill from the Senate, after its passage, it shall be considered in the regular order of business ("Senate Messages" or "Assembly Messages"), and ordered to enrollment.

XXVI.—TO CONCUR OR REFUSE TO CONCUR IN AMENDMENTS.

In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill), or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments.

XXVII.—WHEN AMENDMENTS ARE CONCURRED IN.

If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Clerk shall notify the house making the amendments, and the bill shall be ordered to enrollment.

XXVIII.—WHEN SENATE OR ASSEMBLY REFUSE TO CONCUR.

If the Senate refuse to concur (if it be a Senate bill), or the Assembly refuse to concur (if it be an Assembly bill), the Secretary or Clerk shall notify the house making the amendments of the action taken, and ask that they recede from their amendments. If they refuse to recede, a Committee on Conference shall be appointed, consisting of six members, three to be appointed by the President of the Senate and three by the Speaker of the Assembly. The Committee on Conference shall report to both the Senate and Assembly.

XXIX.—COMMITTEE ON CONFERENCE.

1. In every case of an amendment of a bill agreed to in one house, and dissented from in the other, if either house shall request a conference and appoint a committee to confer, the other house shall appoint a like committee; and such committee shall meet at a convenient hour, to be agreed upon by the respective Chairmen, and shall con-

fer upon the differences between the two houses, and shall report as early as convenient the result of their conference to their respective houses for action thereon.

2. When Conference Committee shall meet: When either house shall require a conference, and appoint a committee for that purpose, and the other house shall also appoint a committee to confer, such conference shall be held at any time and place, to be agreed upon by their Chairmen, and in all cases where a conference takes place, the committee shall be composed of members who vote in the majority on the point or points of difference, but the committee shall not have power or control over any part of the bill or resolution, except such parts upon which a difference exists between the two houses.

XXX.—FREE CONFERENCE COMMITTEE.

If the Committee on Conference fail to agree, or either the Senate or Assembly refuse to adopt the report of the committee, it shall then be in order to appoint a Committee on Free Conference.

A Committee on Free Conference shall consist of six members, to be appointed in the same manner as a Committee on Conference.

The Committee on Free Conference are hereby empowered to suggest in their report any new amendments which they may adopt as a committee, but such amendments made by such committee shall be attached to the bill.

The report of a Committee on Free Conference shall be final, and must be accepted as such.

XXXI.—WHEN CONFERENCE COMMITTEE REPORT IS IN ORDER.

The presentation of report of Committee on Conference or Free Conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is dividing, or during roll call; and when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed and shall be determined without debate.

XXXII.—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.

XXXIII.—SECRETARY, CLERK, 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.

XXXIV.—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.

XXXV.—ENROLLED BILLS TO RECEIVE SIGNATURE OF PROPER OFFICER.

After a bill shall have passed both houses, it shall be duly enrolled and carefully compared by the Enrolling Clerk and Enrolling Committee of the Assembly or of the Senate, as the bill may have originated, 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.

XXXVI.—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 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.

XXXVII.—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.

XXXVIII.—ENROLLING COMMITTEE TO PRESENT BILLS 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.

XXXIX —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

XL.—THE DAILY FILE SHALL BE AS FOLLOWS:

1. All bills making appropriations for the State Government.
2. All constitutional amendments.
3. Third reading of bills.
4. Second reading of bills
5. Bills to be considered during the twelve days preceding adjournment, and to be (1) Joint resolutions; (2) Bills making appropriations for deficiency in any State department; (3) Bills providing for payment of claims allowed by State Board of Examiners; (4) General Appropriation Bill; (5) Tax Levy Bill.

XLI.—DAILY HISTORY OF BILLS, ETC.

There shall be printed daily, by both the Senate and Assembly, a History of all bills, joint and concurrent resolutions, and constitutional amendments, which shall show the action taken by the house, up to the day preceding the publication of such History. A regular form shall be prescribed, and no other form shall be used.

XLII.—BILLS TO BE READ AT LENGTH.

All bills shall be read at length, when upon the third reading.

XLIII.—SECRETARY AND CLERK TO KEEP REGISTER.

The Secretary of the Senate and Clerk of the Assembly shall keep a register, in which shall be recorded every action taken by the Senate and Assembly on every bill, concurrent or joint resolution, or constitutional amendment.

XLIV.—SECRETARY AND CLERK SHALL INDORSE BILLS.

The Secretary of the Senate and Clerk of the Assembly shall indorse, on every original bill, a statement of any action taken by the Senate and Assembly.

XLV.—BILLS TO BE DISTRIBUTED THREE HOURS BEFORE CONSIDERATION.

No bill shall be placed upon final passage until it shall have been printed and distributed at least three hours previous to the consideration of same, and the Sergeant-at-Arms shall keep, in a book provided for that purpose, a record of the hour of distribution of all bills.

XLVI.—WHEN BILLS ARE TO BE REPORTED FROM COMMITTEE.

All bills referred to committee on or before January 25th shall be reported back to the house in which they originated within ten days, and all bills referred to committee after January 25th shall be reported back to the house in which they originated within five days, exclusive of the day they were received by the committee.

XLVII.—A LEGISLATIVE BULLETIN TO BE PRINTED DAILY.

There shall be printed daily, by the Secretary of the Senate and the Clerk of the Assembly, for the use of the respective houses, a Legislative Bulletin to be distributed before daily sessions begin. The Legislative Bulletin shall contain a list of committees, notices and places of committee meetings, and bills to be considered by committees, together with date of such consideration, and such other matters of importance as may be necessary.

XLVIII.—NO BILLS TO BE INTRODUCED AFTER FIFTIETH DAY.

No bills shall be introduced in either the Senate or the Assembly after the fiftieth day of the session, excepting revenue measures; nor shall any bill be presented to the Governor for approval subsequent to the twelfth day preceding the day of adjournment *sine die*, excepting revenue bills, deficiency bills, and bills for claims against the State.

XLIX.—ADJOURNMENT SINE DIE.

An adjournment *sine die* shall only be made by concurrent resolution, and shall give at least twelve days' notice of time of such adjournment *sine die*.

L.—DISPENSING WITH JOINT RULES.

No Joint Rule shall be dispensed with except by vote of two thirds of each house; and if either house shall violate a Joint Rule a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the Rules of such house, and if it shall be decided that the Joint Rules have been violated, the bill involving such violation shall be returned to the house in which it originated, without further action Or at the option of such house, the President or Speaker may direct the Secretary or Clerk to mark the section or sections in conflict with the rules as non-concurrred in or negatived

Mr. North moved that the further reading of the rules be dispensed with, and they be printed in the Journal.

So ordered.

The Joint Rules were then adopted.

RESOLUTIONS.

By Mr. Bettman:

Resolved, That the State Printer is hereby ordered and directed to print in pocket form, immediately, one thousand copies of the Rules and Joint Rules of this Assembly, for the use of the members.

On motion of Mr. Bettman, the rules were suspended and the resolution adopted.

Mr. North, of Alameda, moved that the names of the standing committees be printed in the pocket form of rules, when printed.

So ordered.

By Mr. Mahoney:

Resolved, That the contestees in all contested election cases be and they are hereby allowed to accompany said Committee on Contested Elections to the place where testimony shall be taken, and be allowed the actual expenses incurred in accompanying said committee.

On motion of Mr. Mahoney, the rules were suspended and the resolution adopted.

Mr. Dibble moved that the report of Committee on Rules, submitted this morning, be now considered.

So ordered.

REPORT OF COMMITTEE ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations beg leave to report that Rule VII be amended by inserting after the word consideration, in line two, the following: "Whereupon it shall be read the first time and placed upon the proper second-reading file," and respectfully recommend its adoption.

CHYNOWETH, Chairman.

Adopted.

LEAVE OF ABSENCE.

Messrs. Belshaw and Jones were granted a leave of absence for the day.

On request of Mr. Valentine, his committee clerk, Mr. Allen, was granted a leave of absence until Thursday.

RESOLUTION.

By Mr. Breiling:

Resolved, That W. J. Hennessy be and he is hereby allowed $5 per day for his services as Clerk of the Mileage Committee from January 5 to January 11, 1897.

On motion of Mr. Breiling, the rules were suspended and the resolution adopted.

APPOINTMENTS BY SPEAKER.

The Speaker announced appointments as follows:

Committee on Public Printing (additional)—Messrs. Henry and Mead.

RESOLUTIONS.

By Mr. Caminetti:

Resolved, That the State Board of Harbor Commissioners be and it is hereby requested to furnish the Assembly with the following information:

First—The present condition of the Belt Line Railroad on the water front of San Francisco, the use, if any, made thereof, by whom, and under what terms;

Second—What obstructions, if any, by electric or other railroad tracks have been made on or near that portion of the Belt Line already constructed, or on or near the line of the proposed extension thereof, by what company or companies have the same been made, and by what authority;

Third—What arrangements, plans, or contracts, if any, have been made for the use of any part, or all, of the new Market Street Depot when completed, with what company or companies, for what purposes, for what length of time, at what rental, and under what conditions and reservations;

Fourth—What arrangements, plans, or contracts, if any, have been made for the use of any slip at foot of Market Street and adjacent space, with what company or companies, for what purposes, for what length of time, at what rental, and under what conditions and reservations;

Fifth—What addition, if any, has been made to the original estimate of cost of said depot, including foundations thereof, giving such original estimate, total cost when completed, and from what fund payments have been and are now being made;

Sixth—What is the number of slips, also of piers, from which use can be made of said depot for the landing of passengers,

Seventh—What is the number of rooms suitable for offices, or other use, in said depot, and the area of each;

Eighth—What is the proposed plan of said board for use of said depot, slips and piers, and what number of transportation companies can be accommodated by the same;

Resolved, That the Chief Clerk immediately transmit a copy of this resolution to said board.

Mr. Caminetti moved that the rules be suspended and the resolution be considered immediately.

So ordered.

Resolution adopted.

By Mr. Sanford:

Resolved, That the State Board of Equalization be and it is hereby requested to furnish the Assembly with the following information:

First—The amount of increase, or decrease, made by said board in the assessment roll of the several counties since and including the year 1880, together with the list of counties affected thereby, the date thereof, and reason for such action;

Second—The total assessment for the State for each year during same period, and what instructions, if any, concerning the assessment of property, have been given County Assessors during said period, date of same, and nature thereof;

Third—The total amount of mileage and assessment of each railroad situated in more than one county, for same period, and amount of assessment on each of such railroads levied by said board during same period.

Resolved, That the Chief Clerk transmit a copy of this resolution to said board immediately.

Mr. Sanford moved that the rules be suspended and the resolution considered immediately.

Motion lost.

Referred to Committee on Ways and Means.

By Mr. Bridgford:

ASSEMBLY JOINT RESOLUTION No. 14.

WHEREAS, Agriculture is the chief basis of the wealth of this nation, and is entitled to all reasonable encouragement at the hands of the Government, now, therefore, be it

Resolved by the Assembly, the Senate concurring, That our Representatives in Congress be and they are hereby requested, and our Senators are instructed, to use their best efforts to secure the passage of a law making it the duty of the Secretary of Agriculture to procure accurate monthly reports from our representatives in all foreign countries, and from other available sources, the condition of growing crops, visible supply, etc., of such agricultural products as this country exports, and that said Secretary of Agriculture speedily make a summary statement in convenient form of said reports and cause the same to be forthwith forwarded to the Secretary of State of the respective States of the Union, to be published for the benefit of the public;

Resolved, That a copy of this resolution be forwarded by mail by the Secretary of State to each of our Senators and Representatives in Congress.

Referred to Committee on Federal Relations.

By Mr. Sanford:

ASSEMBLY JOINT RESOLUTION No. 15.

WHEREAS, There has been for the past decade a great and alarming increase of vast hordes of ignorant, criminal, and pauperized labor classes from foreign shores to the United States, thereby over-supplying our own labor markets, reducing the earnings of American wage-earners, and thus causing the throwing out of employment of millions of our own citizens, and

WHEREAS, Such unrestricted and indiscriminate immigration is degrading and pauperizing our own citizens, and endangering the safety of American institutions; and

WHEREAS, We believe that the law of supply and demand rules all markets, and that the true way to protect American workmen is, not to raise the price on the necessary articles of consumption used by the masses of the people, but to shut off the supply of competitive foreign labor; and

WHEREAS, The experience of the past has shown that our present laws are inadequate to restrain this great influx of immigration; 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 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 an engrossed copy of these resolutions.

Referred to Committee on Federal Relations.

COMMUNICATION.

SACRAMENTO, January 11, 1897.

To the Members of the Assembly:

I hereby resign my position as Porter of the Assembly.

C. F. HILL.

Accepted.

NOTICE OF RECONSIDERATION.

Mr. Malcolm gave notice that on next legislative day he would move to reconsider the vote whereby resolution submitted by Mr. Caminetti was adopted.

WITHDRAWAL OF BILL.

By unanimous consent, Mr. Hill was allowed to withdraw Assembly Bill No. 153.

RESOLUTION.

By Mr. Landsborough:

Be it Resolved, That when a resolution is offered and referred to a committee, the Chief Clerk of this House be and he is hereby instructed to certify the same to said committee without delay.

Mr. Landsborough moved that the rules be suspended and the resolution adopted.

Lost.

WITHDRAWAL OF BILL.

By unanimous consent Mr. Lindenberger was granted permission to withdraw Assembly Bill No. 42.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1897.

MR. SPEAKER: We, your Committee on Mileage, beg leave to report that, through error, the following-named members are short in their mileage the amounts set opposite their names, and we recommend such shortage be allowed them.

W. F. Price, $10; H. T. Power, $7; J. O. Vosburg, $12.

BREILING, Chairman.

Adopted.

GENERAL FILE—THIRD READING OF BILL.

Assembly Bill No. 17—An Act fixing the minimum rate of compensation for labor on public works.

Mr. Bridgford moved that Assembly Bill No. 17 be referred to a special committee of one, for the purpose of amending as follows:

Line 7, after the word party: *provided, however*, that this shall not apply to irrigation districts and public highways outside of cities, cities and counties, and towns.

Lost.

Bill read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Arnerich, Austin, Bettman, Boone, Breiling, Burnett, Burnham, Caminetti, Cartwright, Clarke, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Keables, Keegan, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Mulcrevy, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Power of Placer, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Wright, and Mr. Speaker—59.

NOES—Messrs. Belshaw, Bridgford, Chynoweth, Cross, Lindenberger, Melick, and Valentine—7.

Title read and approved.

ADJOURNMENT.

At four o'clock and fifty-eight minutes P. M., on motion of Mr. Leavitt, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 19, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Keables, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Robinson, Rubell, Ryan, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Wright, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. McCandlish, Malcolm, Allen, Vosburg, and Pohlman were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

The reading of the Journal of January 18th was postponed.

At nine o'clock and fifty minutes A. M., Speaker Coombs called Mr. Shanahan to the chair.

Speaker Coombs was granted permission, by unanimous consent, to introduce a bill out of order.

INTRODUCTION OF BILL—(OUT OF ORDER).

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

By Mr. Coombs: Assembly Bill No. 395—An Act to amend an Act entitled "An Act to establish a tax on collateral inheritance bequests and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893.

Referred to Committee on Judiciary.

Mr. McClellan was granted permission to occupy Mr. Emmons' seat during his absence.

SPECIAL ORDERS.

Assembly Bill No. 10—An Act to amend Section 29 of 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.

The question being, "Shall the bill be read second time?"

So ordered.

Assembly Bill No. 10 read second time.

COMMITTEE AMENDMENT.

The Committee on Irrigation submitted the following amendment:

Amend title by adding thereto, in the last line after the word "eighty-seven," the following: "Relating to redemption of property sold for non-payment of assessments."

Amendment adopted.

AMENDMENT.

Mr. Bridgford moved to amend by adding the following:

SEC. 2. This Act shall take effect from and after passage.

Amendment adopted.

Assembly Bill No. 10 ordered to engrossment and third reading.

REPORT OF MAJORITY AND OF MINORITY OF COMMITTEE ON ATTACHÉS AND EMPLOYÉS ON DRYDEN RESOLUTION.

Mr. Dibble moved that the reports of the majority and minority be recommitted to Committee on Attachés and Employés.

PREVIOUS QUESTION.

Pending the consideration of the motion, Mr. Canavan moved the previous question, seconded by Messrs. North, of Alameda, and Cutter.

The question being, "Shall the main question be now put?"

So ordered.

The question now recurring on the original motion.

The ayes and noes were demanded by Messrs. McClellan, Houghton, and Caminetti.

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

AYES—Messrs. Anderson, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Ennis, Fontana, Foreman, Gately, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Keables, Leavitt, Linden-

berger, Mahoney, Malcolm, Melick, Mulcrevy, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—47.

NOES—Messrs. Aldridge, Boone, Bridgford, Caminetti, Cartwright, Dryden, Elliott, Godfrey, Houghton, Keegan, Landsborough, Mead, McClellan, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—19.

Speaker Coombs resumed the chair.

MOTION.

Mr. Chynoweth moved to suspend the rules, and the vote whereby the Assembly adopted the Joint Rules be reconsidered.

So ordered.

Mr. Chynoweth moved to recommit the Joint Rules to the Committee on Rules.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 263—An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year.

The question being, "Shall the bill be read second time?"

So ordered.

Mr. Cutter moved that the House resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 263.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 263 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 263—An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year—and now report the same, with amendments, and recommend that the bill be passed as amended.

COOMBS, Chairman.

Adopted.

AMENDMENT.

Mr. Guy moved to amend by striking out of Section 1, line 1, the words "seventy-five" and inserting the following: "thirty."

Amendment adopted.

MOTION.

Mr. Guy moved that Assembly Bill No. 263 be ordered engrossed and to third reading, and be made special order for to-morrow morning immediately after reading of the Journal.

So ordered.

APPOINTMENT BY SPEAKER.

The Speaker announced the appointment of L. K. Wood as Porter, in place of C. F. Hill, resigned.

SPECIAL ORDERS—(RESUMED).

Senate Joint Resolution No. 9—Relative to Nicaragua Canal.

The question being on the adoption of the following substitute, offered by Mr. Shanahan on yesterday:

JOINT RESOLUTION RELATIVE TO THE CONSTRUCTION OF THE NICARAGUA CANAL.

WHEREAS, The Pacific Coast States of the Union have been and are suffering arrested development, caused by commercial isolation; and whereas, this commercial isolation is remediable by the construction of the Nicaragua Canal, and the rapid development of the States be reassured; and whereas, the construction of this canal would inure to the incalculable benefit of every part of the United States, in promoting commerce and manufactures, in developing such an enormous coastwise traffic as should more than restore our commercial marine, in making the Gulf of Mexico the center of world navigation, and in doubling the efficiency of our navy; and whereas, the expense of the undertaking may be adequately met by a bond issue, repayable by a sinking fund of half of one per cent set aside annually from canal tolls, so that no burden of increased taxation is imposed on our people, but rather an immensely valuable property acquired; 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 effect such legislation as shall assure the immediate building of the Nicaragua Canal, said canal to be built, owned, and operated by the United States;

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.

PREVIOUS QUESTION.

Pending the consideration of Mr. Shanahan's substitute, the previous question was moved by Mr. Cutter, seconded by Messrs. Wright and Leavitt.

The question being, "Shall the main question be now put?"

So ordered.

The ayes and noes were demanded byMessrs. Shanahan, Boone, and Houghton.

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

AYES—Messrs. Aldridge, Anderson, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Goodhue, Houghton, Hudson, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McLaurin, Rubell, Ryan, Sanford, Shanahan, and Strain—30.

NOES—Messrs. Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Ennis, Fontana, Goff, Guy, Harris, Henry, Hill, Keables, Leavitt, Lindenberger, Malcolm, Melick, North of Yolo, Pohlman, Power of Placer, Robinson, Sims, Soward, Stansell, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—37.

The question now recurring on Senate Joint Resolution No. 9.

SENATE JOINT RESOLUTION No. 9.

WHEREAS, There is now before Congress a bill to secure construction of the Nicaragua Canal, entitled H. R. Bill No. 35, introduced by Hon. Mr. Mahon; and

WHEREAS, The State of California, the Pacific Coast, and our entire country, will be materially benefited by the beneficent work; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That we respectfully, but urgently, request the Congress of the United States to enact said bill at its present session, securing to our country the great benefit of a short, cheap waterway between the Atlantic and Pacific oceans, free to all, on equal terms, without discrimination, and under control of the United States Government;

Resolved, That the Governor of California is respectfully requested to telegraph this resolution to the honorable President of the Senate and the honorable Speaker of the House of Representatives.

Adopted.

Mr. Malcolm moved to reconsider the vote whereby the Assembly adopted, on yesterday, Mr. Caminetti's resolution requesting the State Harbor Commission for information.

Pending the consideration of the question, the previous question was moved by Mr. Cutter, and seconded by Messrs. Wright and Rubell.

The question being, "Shall the main question be now put?"

The ayes and noes were demanded by Messrs. Caminetti, Sanford, and Elliott.

The roll was called, and the previous question ordered by the following vote:

AYES—Messrs. Anderson, Arnerich, Austin, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Keables, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—41.

NOES—Messrs. Aldridge, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McLaurin, Power of Placer, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—29.

The question now recurring on Mr. Malcolm's motion to reconsider.

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

AYES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Keables, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Robinson, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—41

NOES—Messrs. Aldridge, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Gately, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McLaurin, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—27.

Further consideration of Mr. Caminetti's resolution temporarily passed.

RESOLUTION—(OUT OF ORDER).

By Mr. Melick:

Resolved, That the Committee on Commissions, Retrenchment, and Public Expenditures, where engaged in making investigations into public expenditures, be and they are hereby authorized to send for persons and papers, and to administer oaths.

Referred to Committee on Commissions, Retrenchment, and Public Expenditures.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 75—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting franchises." approved March 23, 1893, relative to bids for sale of franchises—have had the same under consideration, and respectfully report the same back with a substitute therefor, and recommend that the same do pass.

CUTTER, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1897.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 150—Defining the duties and liabilities of employment agents—have had the same under consideration, and respectfully report the same back, and recommend that same do pass as amended.

DENNERY, Chairman.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1897.

MR. SPEAKER: Your San Francisco Delegation, to whom was referred Assembly Bill No 6—An Act authorizing the appointment of an interpreter of the Japanese language

in criminal proceedings in cities and counties of one hundred thousand inhabitants and over.

Also: Assembly Bill No. 139—An Act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof.

Also: Assembly Bill No. 268—An Act to provide for the annual salaries of the Judges of the Superior Court of the City and County of San Francisco.

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

MULCREVY, Chairman.

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Assembly Bill No. 264—An Act to amend Section 172 of the Civil Code, relative to the management and control of community property.

Also: Respectfully report the following original bill: Assembly Bill No. 397—An Act to amend Sections 537 and 538 of the Code of Civil Procedure, relating to attachments.

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

DIBBLE, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Joint Resolution No 6 (substitute for Assembly Joint Resolutions Nos. 1 and 2)—Relative to the Powers-Gear funding bill—and presented the same to the Governor on this day, at ten o'clock and thirty minutes A. M.

FONTANA, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced:

Substitute by Committee on Corporations: Assembly Bill No. 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing body, and repealing conflicting Acts.

Read first time, and ordered on file for second reading.

By Committee on Revision of Codes and Statutes: Assembly Bill No. 397—An Act to amend Sections 537 and 538 of the Code of Civil Procedure, relating to attachments.

Read first time, and ordered on file for second reading.

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

By Mr. Melick: Assembly Bill No. 398—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 9 of Section 164 thereof, relating to the compensation of the Coroner in counties of the second class.

Referred to Committee on County and Township Governments.

By Mr. Austin: Assembly Bill No. 399—An Act to amend Section 1213 of the Civil Code of the State of California, relative to the recording of conveyances.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 400—An Act to amend Section 456 of the Civil Code, relating to railroads.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 401—An Act to amend Sections 1254 and 1257 of the Code of Civil Procedure, relating to the right of eminent domain.

Referred to Committee on Judiciary.

By Mr. Burnham: Assembly Bill No. 402—An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act.

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 403—An Act making an appropriation for the purpose of constructing a reservoir and laying and maintaining a line of pipe from said reservoir to the Marshall Monument, and for other purposes.

Referred to Committee on Ways and Means.

By Mr. Keegan: 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, relative to revenue and taxation.

Referred to Committee on Constitutional Amendments.

By Mr. Goff: Assembly Bill No. 404—An Act amendatory of an Act entitled "An Act to amend an Act entitled an Act to protect and promote horticultural interests of the State," approved March 14, 1881; approved March 19, 1889; approved March 31, 1891.

Referred to Committee on Fruit and Vine Interests.

By Mr. Sims: Assembly Bill No. 405—An Act making an appropriation for improving the Capitol buildings and grounds.

Referred to Committee on Public Works, State Capitol, and Parks.

By Mr. Treacy: Assembly Bill No. 406—An Act providing for the election of delegates to party conventions, regulating the conduct of such conventions, and prescribing punishments for violations of duties imposed herein, and to protect any nominee of such party conventions in the use of the party name or designation upon all ballots cast in election for public officers.

Referred to Committee on Election Laws.

By Mr. Gately: Assembly Bill No. 407—An Act to amend Section 690 of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding a new article exempting typewriters and bicycles from execution.

Referred to Committee on Judiciary.

By Mr. Cutter: Assembly Bill No. 408—An Act to pay the claim of Paris Kilburn, J. B. Fuller, and H. W. Magee, Bank Commissioners of the State of California, and making an appropriation therefor.

Referred to Committee on Claims.

By Mr. Bettman: Assembly Bill No. 409—An Act to amend Sections 2293 and 2295 of the Political Code, relating to the State Library.

Referred to Committee on State Library.

By Mr. Guy: Assembly Bill No. 410—An Act to provide for the payment of claims against the State of California arising under an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and making an appropriation therefor.

Referred to Committee on Ways and Means.

By Mr. Elliott: Assembly Bill No. 411—An Act to amend Section 1033 of the Code of Civil Procedure, relative to costs in civil actions in courts.

Referred to Committee on Judiciary.

WITHDRAWAL OF BILL.

By unanimous consent, the author of Assembly Bill No. 176, Mr. Vosburg, was allowed to withdraw the same.

Mr. Bridgford moved that the consideration of Assembly Bill No. 10 be made a special order for to-morrow morning, immediately after the reading of the Journal.

So ordered.

RESOLUTIONS.

By Mr. Guy:

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby instructed to deliver to the Committee on Ways and Means, each day, twenty copies of the bills referred to said committee.

On motion of Mr. Guy, the rules were suspended and the resolution adopted.

Also:

Resolved, That the Superintendent of State Printing be and he is hereby instructed to print daily, in addition to the number heretofore ordered, two hundred copies each of all bills, joint and concurrent resolutions, constitutional amendments, Journal, Files, and History

Referred to Committee on Rules and Regulations.

By Mr. Bridgford:

Resolved, That a special committee of five be appointed for the purpose of ascertaining the actual necessity for the expenditures made in the State Printing Office for the last fiscal year, with power to send for persons and papers, and to administer oaths.

Referred to Committee on Commissions, Retrenchment, and Public Expenditures.

By Mr. Treacy:

Resolved, That Ed J. Smith be and he is hereby appointed an Assistant Clerk at the desk, for the purpose of acting as the assistant to the Chief Clerk of the Assembly, while in the Committee of the Whole; and also to be at the command of any member of the Assembly for such clerical services which the other Assistant Clerks may be unable to render, by reason of their duties:

That the per diem for such services shall be the same as fixed by law, and payable out of the appropriation for the contingent expenses of the Assembly.

This appointment is made subject to the judgment of the Speaker, if he deems it absolutely necessary to assist the Assembly to carry on its business.

Referred to Committee on Attachés and Employés.

GENERAL FILE—SECOND READING.

Assembly Bill No. 134—An Act to amend 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, relating to the office of Commissioner of Public Works.

The question being, "Shall Assembly Bill No. 134 be read the second time?"

So ordered.

AMENDMENTS.

Mr. Dibble moved to amend Section 1 by inserting after the word "successor," in line 10 of printed bill, the following:

Provided, that any appointment made to fill a vacancy shall be only for the unexpired portion of the term for which the original appointment was made.

Adopted.

Mr. Belshaw moved to amend line 15 by striking out the words "and other," after the word "traveling."

Adopted.

EXTENSION OF TIME.

At twelve o'clock and thirty minutes P. M., the time for adjournment was extended five minutes.

MOTIONS.

Mr. Cutter moved to reconsider the vote whereby the amendment offered by Mr. Belshaw was adopted.

So ordered.

Mr. Bridgford moved the following substitute for Mr. Belshaw's motion: "Insert the following on line 15, after the word 'other': 'necessary incidental.'"

Adopted.

Amendment by Mr. Belshaw:

Amend line 14 by striking out the word "four" after the word "of," and insert in lieu thereof the word "three"; *provided*, that the salary of the present incumbent be not affected.

Adopted.

Assembly Bill No. 134 ordered to engrossment and third reading.

At twelve o'clock and thirty-five minutes P. M., Mr. Cutter moved that the Assembly take a recess until three o'clock P. M.

ADJOURNMENT.

Mr. North, of Alameda, moved as a substitute that the Assembly do now adjourn.

Adopted.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 20, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Camuetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Power of Placer, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Wright, and Mr. Speaker

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

LEAVE OF ABSENCE.

Messrs. Canavan and Allen were granted leave of absence for the day.

READING OF THE JOURNAL.

The reading of the Journal of yesterday was dispensed with.

APPROVAL OF JOURNAL.

The Journal of January 18th was approved.

CONSIDERATION OF RESOLUTION BY MR. CAMINETTI.

The Speaker called up the further consideration of Mr. Caminetti's resolution, which was on yesterday temporarily postponed, after a vote to reconsider:

RESOLUTION BY MR. CAMINETTI.

Resolved, That the State Board of Harbor Commissioners be and it is hereby requested to furnish the Assembly with the following information:

First—The present condition of the Belt Line Railroad on the water front of San Francisco, the use, if any, made thereof, by whom, and under what terms;

Second—What obstructions, if any, by electric or other railroad tracks, have been made on or near that portion of the Belt Line already constructed, or on or near the line of the proposed extension thereof, by what company or companies have the same been made, and by what authority;

Third—What arrangements, plans, or contracts, if any, have been made for the use of any part, or all, of the new Market Street depot when completed, with what company or companies, for what purposes, for what length of time, at what rental, and under what conditions and reservations;

Fourth—What arrangements, plans, or contracts, if any, have been made for the use of any slip at foot of Market Street and adjacent space, with what company or companies, for what purposes, for what length of time, at what rental, and under what conditions and reservations;

Fifth—What addition, if any, has been made to the original estimate of cost of said depot, including foundations thereof, giving such original estimate, total cost when completed, and from what fund payments have been and are now being made;

Sixth—What is the number of slips, also of piers, from which use can be made of said depot for the landing of passengers;

Seventh—What is the number of rooms suitable for offices, or other use, in said depot, and the area of each;

Eighth—What is the proposed plan of said board for use of said depot, slips, and piers, and what number of transportation companies can be accommodated by the same;

Resolved, That the Chief Clerk immediately transmit a copy of this resolution to said board.

Mr. Dibble moved to refer the resolution offered by Mr. Caminetti to the Committee on Commerce and Navigation.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed, viz.:

Assembly Bill No. 263—An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year.

AUSTIN, Chairman.

SPECIAL ORDERS.

Assembly Bill No. 263—An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year.

The question being, "Shall Assembly Bill No. 263 be read third time?"

So ordered.

Assembly Bill No. 263 read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Arnerich, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnett, Burnham, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Robinson, Ryan, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—61

NOES—Messrs. Aldridge, Boone, Caminetti, McClellan, Rubell, and Treacy—6.

Title read and approved.

Mr. Guy moved that Assembly Bill No. 263 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 10—An Act to amend Section 29 of 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.

Passed temporarily on file.

REPORTS OF STANDING COMMITTEES.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 260—Entitled "An Act to validate the organization and incorporation of municipal corporations"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VALENTINE, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1897.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 154—An Act to pay the claim of George A Sturtevant for services rendered as District Attorney of Mendocino County in foreclosing certificates of purchase of State school lands, and appropriating money to pay the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BELSHAW, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1897.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 261—An Act for the appointment of a commissioner to represent the State of California at the Central American Exhibition, to be held in the City of Guatemala, on March 15, 1897, and to prescribe his powers and duties, and to authorize the appointment of a clerk, and to provide for the expenses of said commissioner and the compensation of said clerk, and for certain expenses of the California exhibit at said exhibition, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ARNERICH, Vice-Chairman.

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1897.

MR SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 28—An Act to repeal Section 3 of an Act entitled "An Act for the better protection of the stockholders in corporations formed under the laws of the State of California for the purpose of carrying on and conducting the business of mining," approved March 30, 1874—have had the same under consideration, and respectfully report back a substitute therefor, and recommend that such substitute do pass.

SOWARD, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Mines and Mining Interests: Assembly Bill No. 453 (Substitute for Assembly Bill No. 28)—An Act to amend Sections 1 and 3 of an Act amendatory of an Act entitled "An Act for the better protection of the stockholders in corporations formed under the laws of the State of California for the purpose of carrying on and conducting the business of mining," approved March 13, 1874; April 23, 1880.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON FEDERAL RELATIONS—MAJORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1897.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No 13, have had the same under consideration, and respectfully report a substitute therefor, and recommend that such substitute do pass:

ASSEMBLY JOINT RESOLUTION No. 17.

Substitute for Assembly Joint Resolution No. 13, by Committee on Federal Relations.

Resolved by the Assembly and Senate of the State of California, That, while we extend our warmest sympathy to the Cubans in their heroic struggle for independence, we deem it inopportune at this time to offer advice to the Federal Government as to its treatment of a grave international question, but have full confidence that the National Administration will deal with it in a manner which will not only secure the desired end, but reflect honor and credit on the United States.

GOODHUE, Chairman.
DAMON.

ON FEDERAL RELATIONS—MINORITY REPORT.

The minority of the Committee on Federal Relations, to whom was submitted various resolutions touching Cuban affairs, beg leave to submit the following as a minority report:

WHEREAS, The inhabitants of Cuba have for years been struggling to achieve national independence, and to secure the free exercise of those inalienable rights to which all men are entitled under the laws of God and nature; and

WHEREAS, Under the principles which underlie the doctrine of human rights, we recognize our duty as American citizens to extend sympathy, and aid if need be, to all who oppose despotic oppression and strive to establish a republican form of government in the western hemisphere; and

WHEREAS, The methods of warfare which have been and are now being carried on for the suppression of the Cubans are contrary to the established usages of war, and a stigma upon the Christian civilization of the nineteenth century; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring therein, That we favor the recognition, by the Government of the United States, of the rights of the Cubans as belligerents;

Resolved, That the Chief Clerk of this Assembly transmit copies of these resolutions to the Senators and Representatives in Congress from the State of California.

DRYDEN, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 149—To amend Section 702 of the Code of Civil Procedure, relative to redemption of property sold under judgment—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. 4—Relating to protecting citizens in their civil and legal rights.

Also: Assembly Bill No 14—To amend Section 2955 of the Civil Code, relating to the mortgaging of personal property.

Also: Assembly Bill No. 172—To amend Sections 702 and 703 of the Code of Civil Procedure, relating to the time of redemption of property sold on execution

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

Also: Assembly Bill No. 164—Amending Section 2181 of the Civil Code, relating to luggage.

Also: Assembly Bill No. 173—Relating to the duties of County Treasurer, etc.

Also: Assembly Bill No. 23—Amending Section 1575 of the Code of Civil Procedure, relative to affidavits by executors and administrators.

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

WAYMIRE, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1897.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 64—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—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 to regulate the width of tires of wagons to be used on the public highways of the State of California.

Also: Assembly Bill No. 196—An Act to amend Section 2737, Article VIII, road laws of California, giving Supervisors power to declare private bridges public property.

Also: Assembly Bill No. 199—To amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gate.

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

CLARKE, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1897.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 251—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 397 thereof, relating to penalties for selling liquor to habitual or common drunkards and Indians—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 76—An Act to amend Section 261 of the Penal Code of the State of California, relating to the crime of rape and what constitutes 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. 53—An Act to amend Section 1137 of the Penal Code, relating to papers jury may take when retiring.

Also: Assembly Bill No. 54—An Act to amend Section 1093 of the Penal Code, relating to order of trial.

Also: Assembly Bill No. 166—An Act to amend Sections 1523, 1524, and 1536 of the Penal Code, relating to search warrants.

Ask that the same be re-referred to Committee on Judiciary.

H. T. POWER, Chairman.

Assembly Bills Nos. 53, 54, and 166 re-referred to Committee on Judiciary.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1897.

MR SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 7—Proposed amendment to Section 7 of Article XI of the Constitution, relative to cities and counties

Also: Assembly Constitutional Amendment No. 8—Proposed amendment to Article IV of the Constitution, adding a new section thereto, with reference to local legislation.

Also: Assembly Constitutional Amendment No. 9—Proposed amendment to Section 7 of Article I of the Constitution, relative to juries.

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

Also: Assembly Constitutional Amendment No 10—Proposed amendment to Section 5 of Article XI of the Constitution, relative to county officers, and their compensation—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

SIMS, Chairman.

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1897.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 73—An Act to amend Section 634 of the Penal Code, relating to the taking of salmon, shad, striped bass—meshes of seine, etc.

Also· Assembly Bill No 102—An Act to amend Section 634 of the Penal Code, relating to the taking of salmon, shad, and striped bass—meshes of seine, etc.

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

STRAIN, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Fish and Game: Assembly Bill No. 451 (Substitute for Assembly Bill No. 73 and Assembly Bill No. 102)—An Act to amend Sections 632 and 634 of the Penal Code of the State of California, relating to fish.

Ordered on file for first reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1897.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 303—An Act to authorize the Board of Fish Commissioners of the State of California to purchase or construct a gasoline launch, to aid in carrying out the purposes of said board, and appropriating money therefor—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 626 of the Penal Code, relating to fish and game—have had the same under consideration, and respectfully report the same back with substitute, and recommend that the substitute do pass.

STRAIN, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Fish and Game: Assembly Bill No. 452 (Substitute for Assembly Bill No. 38)—An Act to amend Section 626 of the Penal Code, relating to Fish and Game.

Ordered on file for first reading.

At ten o'clock and forty-five minutes A. M., the Speaker called Mr. Chynoweth to the chair.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1897.

MR. SPEAKER: Your Committee on Commissions. Retrenchment, and Public Expenditures, to whom was referred the following resolution by Mr. Melick:

Resolved, That the Committee on Commissions, Retrenchment, and Public Expenditures, when engaged in making investigations into public expenditures, be and they are hereby authorized to send for persons and papers, and to administer oaths.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

MELICK, Chairman.

MOTION.

Mr. Melick moved that the report be adopted.

Roll call was demanded by Messrs. Shanahan, Mead, and Boone.

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

AYES—Messrs. Aldridge, Anderson, Belshaw, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Dennery, Dibble, Dryden, Elliott, Ennis, Fontana, Foreman, Godfrey, Goodhue, Guy, Hill, Houghton, Hudson, Keables, Keegan, Landsborough, Leavitt, Lindenberger, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Yolo, Pohlman, Power of Placer, Robinson, Rubell, Sanford, Sims, Shanahan, Soward, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—53

NOES—Messrs Arnerich, Austin, Bettman, Cutter, Dolan, Harris, Henry, Jones, Lacy, and Mahoney—10.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1897.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.: Assembly Bill No. 10—An Act to amend Section 29 of 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, relating to redemption of property sold for non-payment of assessments.

AUSTIN, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1897.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Senate Concurrent Resolution No. 2—Relative to employing additional help to light and heat the Capitol building—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WRIGHT, Chairman.

SENATE CONCURRENT RESOLUTION No. 2.

Resolved by the Senate, the Assembly concurring, That the Secretary of State be requested to employ such additional assistance as shall be required to properly look after the lighting and heating of the Capitol building during the session of the Legislature, and the sum of six hundred dollars is hereby appropriated out of the Contingent Funds of the Senate and Assembly—three hundred dollars from the Contingent Fund of the Senate, and three hundred dollars from the Contingent Fund of the Assembly—with which to pay said additional assistance. The Controller is hereby directed to draw his warrant for said amounts, and the Treasurer is directed to pay the same.

Adopted.

ON PUBLIC WORKS, STATE CAPITOL, AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1897.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Assembly Bill No 304—An Act entitled an Act providing for the appointment of an auditing board to the Commissioner of Public Works, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by the committee.

ENNIS, Chairman.

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes respectfully report the following original bills, and recommend that they do pass:

1. An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered Section 335½.
2. An Act to amend Section 337 of the Code of Civil Procedure.
3. An Act to amend Section 339 of the Code of Civil Procedure.
4. An Act to amend Section 383 of the Code of Civil Procedure.
5. An Act to amend Section 389 of the Code of Civil Procedure
6. An Act to amend Section 396 of the Code of Civil Procedure.
7. An Act to amend Section 407 of the Code of Civil Procedure.
8. An Act to amend Section 542 of the Code of Civil Procedure.
9. An Act to amend Section 581 of the Code of Civil Procedure.
10. An Act to amend Section 632 of the Code of Civil Procedure
11. An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered Section 635
12. An Act to amend Section 658 of the Code of Civil Procedure.
13. An Act to amend Section 659 of the Code of Civil Procedure.
14. An Act to amend Section 660 of the Code of Civil Procedure.
15. An Act to amend Section 661 of the Code of Civil Procedure.

DIBBLE, Chairman

INTRODUCTION OF BILLS.

By Committee on Revision of Codes and Statutes: Assembly Bill No. 412—An Act to amend Section 337 of the Code of Civil Procedure.

The question being, "Shall the bill be read first time?"
So ordered.
Read first time, and ordered on file for second reading.
Also: Assembly Bill No. 413—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered Section No. 335½.
The question being, "Shall the bill be read first time?"
So ordered.
Read first time, and ordered on file for second reading.
Also: Assembly Bill No. 414—An Act to amend Section 339 of the Code of Civil Procedure.
The question being, "Shall the bill be read first time?"
So ordered.
Read first time, and ordered on file for second reading.
Also: Assembly Bill No. 415—An Act to amend Section 383 of the Code of Civil Procedure.
The question being, "Shall the bill be read first time?"
So ordered.
Read first time, and ordered on file for second reading.
Also: Assembly Bill No. 416—An Act to amend Section 389 of the Code of Civil Procedure.
The question being, "Shall the bill be read first time?"
So ordered.
Read first time, and ordered on file for second reading.
Also: Assembly Bill No. 417—An Act to amend Section 396 of the Code of Civil Procedure.
The question being, "Shall the bill be read first time?"
So ordered.
Read first time, and ordered on file for second reading.
Also: Assembly Bill No. 418—An Act to amend Section 407 of the Code of Civil Procedure.
The question being, "Shall the bill be read first time?"
So ordered.
Read first time, and ordered on file for second reading.
Also: Assembly Bill No. 419—An Act to amend Section 542 of the Code of Civil Procedure.
The question being, "Shall the bill be read first time?"
So ordered.
Read first time, and ordered on file for second reading.
Also: Assembly Bill No. 420—An Act to amend Section 581 of the Code of Civil Procedure.
The question being, "Shall the bill be read first time?"
So ordered.
Read first time, and ordered on file for second reading.
Also: Assembly Bill No. 421—An Act to amend Section 632 of the Code of Civil Procedure.
The question being, "Shall the bill be read first time?"
So ordered.
Read first time, and ordered on file for second reading.
Also: Assembly Bill No. 422—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered 635.
The question being, "Shall the bill be read first time?"
So ordered.
Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 423—An Act to amend Section 658 of the Code of Civil Procedure.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 424—An Act to amend Section 659 of the Code of Civil Procedure.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 425—An Act to amend Section 660 of the Code of Civil Procedure.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 426—An Act to amend Section 661 of the Code of Civil Procedure.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

RECESS.

At eleven o'clock and fifteen minutes A. M., on motion of Mr. North, of Alameda, the Assembly took a recess until twelve o'clock M.

REASSEMBLED.

The Assembly reassembled at twelve o'clock and ten minutes P. M.

Speaker Coombs in the chair.

Quorum present.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, SACRAMENTO, January 19, 1897.

To the Assembly of the State of California:

I have the honor to inform your honorable body that the Attorney-General has reported to me two cases wherein judgments have been obtained against the State, and for which no appropriations have been made for their payment. They are:

Chapman vs. State, principal and interest	$1,481 45
Nelson vs. State, principal and interest	605 75

JAMES H. BUDD, Governor.

Referred to Committee on Ways and Means.

INTRODUCTION OF BILLS—(RESUMED).

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

By Mr. Treacy: Assembly Bill No. 427—An Act relating to hospitals for dipsomaniacs and morphine, opium, and alcohol inebriates, in municipalities of the first class.

Referred to San Francisco Delegation.

By Mr Soward: Assembly Bill No. 428—An Act to amend Section 3806 of the Political Code, relating to the sale of property for payment of delinquent taxes under irregular assessments.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Jones: Assembly Bill No. 429—An Act to amend Section 571 of the Civil Code, relating to savings and loan corporations.

Referred to Committee on Revision of Codes and Statutes.

By Mr. McClellan: Assembly Bill No. 430—An Act to provide for the payment of Swamp and Overflowed Land Funds into the treasury of the counties in which said swamp and overflowed lands are situated.

Referred to Committee on Swamp and Overflowed Lands and River Improvements.

By Mr. Austin: Assembly Bill No. 431—An Act to amend Section 3641 of the Political Code, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue.

Referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 432—An Act to add a new section to the Political Code, to be known as Section 3609 thereof, relating to the general revenue of this State, and to property liable to taxation for the purpose of revenue.

Referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 433—An Act to amend Section 3608 of the Political Code of California, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue.

Referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 434—An Act to amend Sections 7 and 9 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 as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Referred to Committee on Banks and Banking.

Also: Assembly Bill No. 435—An Act appropriating money to provide for the erection and furnishing of a residence for the Medical Superintendent of the State Insane Asylum at Stockton, California.

Referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 436—An Act making an appropriation for supplying water, light, and fuel for the State Insane Asylum at Stockton.

Referred to Committee on State Hospitals and Asylums.

By Mr. Power, of Placer: Assembly Bill No. 437—An Act making an appropriation to pay the claim of F. M. Millikan, for publishing delinquent purchasers of State school lands.

Referred to Committee on Claims.

By Mr. Clarke: Assembly Bill No. 438—An Act to prevent the granting of franchises or privileges for the construction, extension, or operation of railroads over or upon county roads or highways by Boards of Supervisors of the several counties of the State of California.

Referred to Committee on Roads and Highways.

By Mr. Waymire: Assembly Bill No. 439—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 bonds.

Referred to Committee on Irrigation.

Also: Assembly Bill No. 440—An Act for the protection of the Antwerp messenger, or homing pigeon.

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 441—An Act to amend Sections 556 and 641 of the Code of Civil Procedure of the State of California, in relation to receivers and referees.

Referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 442—An Act to amend Section 1727 of the Code of Civil Procedure of the State of California, relating to Public Administrators.

Referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 443—An Act to amend an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895.

Referred to Committee on Judiciary.

By Mr. Pohlman: Assembly Bill No. 444—An Act relative to fire departments of municipalities of the first class.

Referred to San Francisco Delegation.

Also: Assembly Bill No. 445—An Act relating to the authorization and employment of a draughtsman by Recorders in counties, and cities and counties, of the first class.

Referred to San Francisco Delegation.

By Mr. Dennery: Assembly Bill No. 446—To provide for the maintenance and support of the public parks created within the various cities, and cities and counties, of the State, and to amend the existing Acts in relation thereto.

Referred to Committee on Public Works, State Capitol, and Parks.

By Mr. Mulcrevy: Assembly Bill No. 447—An Act to require ordinances and resolutions passed by the City Council or other legislative body of any municipality to be presented to the Mayor or other chief executive officer of such municipality for his approval.

Referred to Committee on Municipal Corporations.

By Mr. McCandlish: Assembly Bill No. 448—An Act to provide for the construction of a free wagon road or highway from a point on Bean Creek in Mariposa County to the Yosemite Valley, and appropriating money therefor.

Referred to Committee on Public Works, State Capitol, and Parks.

By Mr. Sims: Assembly Bill No. 449—An Act to amend an Act entitled "An Act to regulate the practice of dentistry."

Referred to Committee on Public Health and Quarantine.

By Mr. Stansell: Assembly Bill No. 450—An Act making an appropriation to pay the claim of Ira H. Locey and Henry Locey, for expenses incurred and services rendered by order of the State Board of Forestry.

Referred to Committee on Claims.

RESOLUTIONS.

By Mr. Dibble:

Resolved, That the Controller be and is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for two hundred and six dollars and fifty-four cents ($206 54), in favor of W. O. Banks, Sergeant-at-Arms of Assembly, from the Contingent Fund, to pay for articles as per attached vouchers:

Bought of H. S. Crocker Co.

January 12—1 cash-box	$1 25
January 14—2 dozen Globe files	25 30
January 18—3½ dozen Globe files	48 49
	$75 04

Bought of Union Ice Co.:

January 17—1,275 pounds ice, @ 1c		$12 75

Bought of Tom Scott·

January 14—2 electric portables, complete, $15 each	$30 00	
January 18—1 dozen cuspidors	10 00	
		40 00

Bought of Day & Joy

January 12—12 badges, and printing		2 50

Bought of Sayre & Son:

January 7—1 mail pouch for the Assembly		4 50

Bought of Schaw, Ingram, Batcher & Co.

January 7—1 cupboard turn, M 444		25

Bought of B. Wilson & Co.·

January 7—3 dozen roller towels, @ $6		18 00

Bought of Capital Electric Works:

January 6—4 keys for door	$1 25	
January 6—2 locks for cabinet, 2 extra keys, 2 catches for door bolts	2 50	
		3 75

Bought of Crystal Palace:

January 5—2 10-gallon filters, @ $20	$40 00	
January 5—1 5-gallon filter	8 50	
January 5—1 dozen tumblers	1 25	
		49 75

Recapitulation.

To 2 10-gallon filters	$40 00
1 5-gallon filter	8 50
1 dozen tumblers	1 25
Locks and keys for desks and doors	3 75
3 dozen roller towels	18 00
1 cupboard turn	25
1 mail pouch	4 50
1 dozen badges for Pages	2 50
2 electric portables, complete	30 00
1 dozen cuspidors	10 00
1,275 pounds of ice	12 75
1 cash-box	1 25
70 Globe files	73 79
	$206 54

Referred to Committee on Ways and Means.

By Mr. Wright:

WHEREAS, There are now pending before this body several bills providing additional appropriations for public institutions, and as the need for such appropriations must be determined by careful inspection, therefore, be it

Resolved, That the Committee on State Hospitals and Asylums and the Committee on Public Buildings and Grounds be authorized to proceed to such institutions for the purpose of inspection (not more than four members from each committee, to be appointed by the Chairman of each committee), and that only the actual traveling expenses be allowed.

Referred to Committee on Commissions, Retrenchment, and Public Expenditures.

By Mr. Keables:

WHEREAS, The twenty-ninth session of the Legislature of this State did enact the following:

"SECTION 1. In every department, upon all public works, whether under contract or not, in all offices, employments, places, and positions of trust or profit of this State, honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion must be preferred for appointment, employment, and retention therein, and age, loss of limb, or other physical impairment, which does not in fact incapacitate, shall not be deemed to disqualify them; *provided*, they possess the capacity necessary to fill the position; and persons thus preferred or appointed, unless appointed or employed for a definite statutory period, shall not be dismissed from such positions, offices, or employments except upon charges, after a hearing, and for just cause.

"SEC. 2 This Act shall take effect immediately"; and

WHEREAS, Thus far, this session of the Assembly, in its several branches, has unintentionally failed to make appointments in conformity with said law, therefore, be it

Resolved, That in the event of there being further appointments made by this House, a fair proportion of any and all said preferments shall be given to honorably discharged ex-Union soldiers and sailors.

Referred to Committee on Attachés and Employés.

By Mr. Dennery:

WHEREAS, Charges have been made that, prior and up to the time of the recent general election, those having in hand the management of the Mendocino County Asylum for the Insane have made improper use of their official authority, in the following manner, to wit: By promises of patronage and position have endeavored to make votes for the Democratic candidates and the Democratic party; therefore, be it

Resolved, That a select committee of five be appointed by the Speaker of the Assembly to fully investigate such charges as aforesaid; and be it further

Resolved, That said committee is fully empowered to investigate said charges, to send for persons and papers, and is required to report to the Assembly the result of its investigation.

Referred to Committee on State Hospitals and Asylums.

By unanimous consent, Mr. Burnham was granted permission to withdraw Assembly Bill No. 402 from Committee on Fish and Game and re-refer same to Committee on Roads and Highways.

At twelve o'clock and thirty minutes P. M., the time for recess was extended five minutes.

By Mr. McCandlish:

ASSEMBLY JOINT RESOLUTION No. 16.

Relating to the purchase of private holdings within the limits of the Yosemite National Park.

WHEREAS, The Congress of the United States has reserved as a National Park, and withdrawn from entry and sale, a large tract of public land situated in Mariposa, Tuolumne, Madera, Mono, and Fresno counties; and

WHEREAS, A number of persons in good faith have settled upon, paid for, and obtained patents for land for mineral and agricultural purposes, situated within the limits of such reservation, and

WHEREAS, By reason of such reservation and withdrawal from sale of such lands, the settlement thereof has been prevented, together with the increase of value in such lands by increase in population, cultivation, and improvement, and the owners and holders of lands situated within the limits of such reservation have been circumscribed in the use of their property, and their property decreased in its present and future value; therefore, be it

Resolved, That the Legislature of the State of California requests the Congress of the United States to purchase the property of such persons so situated within the limits of such National Park, and compensate them for all losses sustained on account of such withdrawal and reservation by the United States, and be it further

Resolved, That a copy of this resolution be forwarded to each of our Senators and Representatives in the Congress of the United States, and that they are hereby requested to use their best efforts to procure the legislation necessary for the purposes of this resolution.

Referred to Committee on Public Works, State Capitol, and Parks.

By Mr. Bettman:

Resolved, That the Secretary of State be and he hereby is authorized to purchase for and supply to each member of the Assembly, three Keystone patent binders, and the same shall be paid for out of the Contingent Fund of the Assembly.

On motion of Mr. Dennery, the rules were suspended and the resolution adopted.

ADJOURNMENT.

At twelve o'clock and thirty-five minutes P. M., on motion of Mr. North, of Alameda, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 21, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McLaurin, North of Yolo, Robinson, Rubell, Ryan, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. North, of Alameda, was granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

The reading of the Journal of yesterday was dispensed with.

APPROVAL OF JOURNAL.

The Journal of January 19th was approved.

SPECIAL ORDERS.

Assembly Bill No. 10—An Act to amend Section 29 of 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.

The question being, "Shall the bill be read third time?"

So ordered.

Assembly Bill No. 10 read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Jones, Keables, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, McCandlish, McLaurin, North of Yolo, Pohlman, Power of Placer, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Mr. Bridgford moved to immediately transmit Assembly Bill No. 10 to the Senate.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON BANKS AND BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred Assembly Bill No. 7—An Act to compel all depositaries of money and commercial banks to publish a sworn statement of all unclaimed deposits—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HILL, Chairman.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1897.

MR SPEAKER Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 283—An Act to change and permanently locate the boundary line between the counties of Butte and Yuba—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HUDSON, Chairman.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bills Nos. 50, 52, 92, 93, 94, 95, 96, 108, 109, 110, and 163, have had the same under consideration, and respectfully request that more time be granted on said bills above enumerated, as the committee has not before them sufficient data to pass intelligently upon said bills.

Adopted.

Also: Resolution by Mr. Dennery, as follows:

WHEREAS, Charges have been made that, prior and up to the time of the recent general election, those having in hand the management of the Mendocino County Asylum for the Insane have made improper use of their official authority in the following manner, to wit: by promises of patronage and position have endeavored to make votes for the Democratic candidates and the Democratic party; therefore, be it

Resolved, That a select committee of five be appointed by the Speaker of the Assembly to fully investigate such charges as aforesaid; and be it further

Resolved, That said committee is fully empowered to investigate said charges, to send for persons and papers, and is required to report to the Assembly the result of its investigation.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

MALCOLM, Chairman.

Mr. Mead moved to recommit the resolution to the Committee on State Hospitals and Asylums.

Lost.

The question being on the adoption of the report of the committee.

The ayes and noes were demanded by Messrs. Shanahan, Bridgford, and Houghton.

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

AYES—Messrs. Aldridge, Arnerich, Austin, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Houghton, Jones, Keegan, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, McCandlish, McClellan, McLaurin, North of Yolo, Pohlman, Power of Placer, Rubell, Ryan, Sims, Shanahan, Strain, Toland, Valentine, Vosburg, and Mr. Speaker—54.

NOES—Messrs. Anderson, Belshaw, Hill, Hudson, Keables, Mead, Robinson, Soward, Stansell, and Treacy—10.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

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

Resolved, That during this, the thirty-second session of the Legislature of the State of California, no permission for leave of absence shall be granted to any standing or sub-

committee of a standing committee of the Assembly, except to the Committee on Contested Elections

Have had the same under consideration, and respectfully report the same back, and recommend that the same be referred to the Committee on Commissions, Retrenchment, and Public Expenditures.

Adopted.

Also: The following resolution:

Resolved, That for and by reason of services rendered by T. W. Measure as Electrician for four days, January 11 to January 15, 1897, the State Controller is hereby directed to draw his warrant in the sum of $20 for the payment of 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 it be adopted.

By unanimous consent, the resolution was re-referred to Committee on Attachés and Employés.

Also: The following resolution:

Resolved, That Ed J. Smith be and he is hereby appointed an Assistant Clerk at the desk, for the purpose of acting as the assistant to the Chief Clerk of the Assembly, while in the Committee of the Whole; and also to be at the command of any member of the Assembly for such clerical services which the other Assistant Clerks may be unable to render, by reason of their duties.

That the per diem for such services shall be the same as fixed by law, and payable out of the appropriation for the contingent expenses of the Assembly.

This appointment is made subject to the judgment of the Speaker, if he deem it absolutely necessary to assist the Assembly to carry on its business.

Have had the same under consideration, and respectfully report the same back without recommendation.

VOSBURG, Chairman.

The question being upon the adoption of the resolution. The same was lost.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 306—An Act to provide for the management and operation of railroads above certain elevations.

Also: Assembly Bill No 119—An Act authorizing certain corporations to loan and invest money, and regulating the same

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, January 21, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 129—To amend Section 634 of the Political Code, in relation to insurance—have had the same under consideration and respectfully report the same back, and recommend that it be referred to the Committee on Corporations.

VALENTINE, Chairman.

Adopted.

Assembly Bill No. 129 re-referred to Committee on Corporations.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 7—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Senate Joint Resolution No. 5—Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

GOODHUE, Chairman.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1897.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 36—Have had the same under consideration, and respectfully report the same

back, and recommend that it be referred to the Judiciary Committee for their opinion as to its constitutionality, and to be reported back to the Committee on Military Affairs.

CROSS, Chairman.

Adopted.

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No 27—An Act to repeal Section 1 of an Act entitled "An Act for further protection of stockholders in mining companies," approved April 23, 1880—have had the same under consideration, and respectfully report back a substitute therefor, and recommend that the substitute do pass.

SOWARD, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Mines and Mining Interests: Assembly Bill No. 454 (Substitute for Assembly Bill No. 27)—An Act to amend Section 1 of an Act entitled "An Act for the further protection of stockholders in mining companies," approved April 23, 1880.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1897.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 8—An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors, and marines in this State who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CROSS, Chairman.

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Assembly Bill No. 310—Entitled an Act to amend Section 1255 of the Code of Civil Procedure, relating to costs in condemnation suits.

Also: Assembly Bill No. 338—Entitled an Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 1329 thereof, relating to the payment of expenses of witnesses in criminal cases.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred back to the Committee on Judiciary.

Adopted.

Also: Assembly Bill No. 284—Entitled an Act to amend Section 1770 of the Political Code, relative to the frequency of holding examinations of applicants for teachers' certificates—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Education.

Adopted.

Also: Assembly Bill No. 275—Entitled an Act to add a new section to the Political Code, to be known and designated as Section 3466½, relating to the payment of invalid assessments in reclamation districts, and the crediting of the amount paid (to the tract or land upon which the same was assessed) upon subsequent assessments—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Swamp and Overflowed Lands and River Improvements.

Adopted.

Also: The following original bills, and recommend that they do pass:

1. An Act to amend the Code of Civil Procedure, by adding thereto a new section, to be numbered Section 676, relating to conveyances under order of Court.
2. An Act to amend Section 691 of the Code of Civil Procedure.
3. An Act to amend the Code of Civil Procedure, by adding thereto a new section, to be numbered Section 811, relating to dissolution of corporations.
4. An Act to amend Section 868 of the Code of Civil Procedure.
5. An Act to amend Section 939 of the Code of Civil Procedure.
6. An Act to amend Section 943 of the Code of Civil Procedure.
7. An Act to amend Section 963 of the Code of Civil Procedure.
8. An Act to amend Section 977 of the Code of Civil Procedure.
9. An Act to amend Section 980 of the Code of Civil Procedure.
10. An Act to amend Section 1490 of the Code of Civil Procedure.
11. An Act to amend Section 1491 of the Code of Civil Procedure.
12. An Act to amend the Code of Civil Procedure, by adding thereto a new section, to be numbered Section 1593, relating to the rights of executors and administrators to bid at foreclosure sales in certain cases.
13. An Act to amend Section 1906 of the Code of Civil Procedure.
14. An Act to amend Section 1918 of the Code of Civil Procedure.
15. An Act to amend Section 1991 of the Code of Civil Procedure.
16. An Act to amend the Code of Civil Procedure, by adding thereto two new sections, to be numbered, respectively, 2039 and 2040, relating to letters rogatory.

DIBBLE, Chairman.

INTRODUCTION OF BILLS.

By Committee on Revision of Codes and Statutes: Assembly Bill No. 455—An Act to amend the Code of Civil Procedure, by adding thereto a new section, to be numbered Section 676, relating to conveyances under order of court.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 456—An Act to amend Section 691 of the Code of Civil Procedure.

The question being, "Shall the bill be read first time."

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 457—To add a new section to the Code of Civil Procedure, to be known as Section 811 thereof, relating to dissolution of corporations.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 458—An Act to amend Section 868 of the Code of Civil Procedure.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 459—An Act to amend Section 939 of the Code of Civil Procedure.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 460—An Act to amend Section 943 of the Code of Civil Procedure.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 461—An Act to amend Section 963 of the Code of Civil Procedure.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 462—An Act to amend Section 977 of the Code of Civil Procedure.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 463—An Act to amend Section 980 of the Code of Civil Procedure.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 464—An Act to amend Section 1490 of the Code of Civil Procedure.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 465—An Act to amend Section 1491 of the Code of Civil Procedure.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 466—An Act to add a new section to the Code of Civil Procedure, to be known as Section 1593 thereof, relating to the right of executors and administrators to bid at foreclosure sales in certain cases.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 467—An Act to amend Section 1906 of the Code of Civil Procedure.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 468—An Act to amend Section 1918 of the Code of Civil Procedure.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 469—An Act to amend Section 1991 of the Code of Civil Procedure.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 470—An Act to amend the Code of Civil Procedure, by adding thereto two new sections, to be numbered, respectively, Sections 2039 and 2040, relating to letters rogatory.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

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

By Mr. Gately: Assembly Bill No. 471—An Act prescribing the period in each year during which and the terms under which racing may take place upon the grounds of associations incorporated for the purpose of improving the breed of horses, cattle, sheep, and all livestock.

Referred to Committee on Public Morals.

By Mr. Pohlman: Assembly Bill No. 472—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the harbor of San Francisco, southward from its present southerly terminus, near the foot of Mission Street, on the water-front of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon; and to provide for the submission of this Act to a vote of the people.

Referred to Committee on Commerce and Navigation.

By Mr. Harris: Assembly Bill No. 473—An Act to add a new section to the Political Code, to be known and designated as Section 1889½, relating to the authorization and employment of a specialist in sociological education in counties, and cities and counties, and providing for the duties and execution of the work of such specialist.

Referred to Committee on Public Health and Quarantine.

By Mr. Dennery: Assembly Bill No. 474—An Act entitled an Act to amend Section 1142 of the Political Code, relating to Elections.

Referred to Committee on Election Laws.

Also: Assembly Bill No. 475—An Act entitled "An Act to amend Section 1192 of the Political Code," relating to elections.

Referred to Committee on Election Laws.

By Mr. Valentine: Assembly Bill No. 476—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

By Mr. Guy: Assembly Bill No. 477—An Act for the improvement of the harbor of San Diego, and to appropriate the sum of $50,000 for the erection of a State wharf, purchasing a dredger, and paying the legal expenses incident to securing possession of the tide lands on the Bay of San Diego, and paying other indebtedness of the State Board of Harbor Commissioners for the Bay of San Diego.

Referred to Committee on Commerce and Navigation.

By Mr. Ennis: Assembly Bill No. 478—An Act making an appropriation to pay the deficiency in the appropriation for the payment of expenses incurred in calling the National Guard of California into service, by order of the Governor, during the year 1894.

Referred to Committee on Military Affairs.

By Mr. Arnerich: Assembly Bill No. 479—An Act to amend Section 681 of the Code of Civil Procedure of the State of California, relating to executors.

Referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 480—An Act to amend Section 671 of the Code of Civil Procedure of the State of California, relating to judgment liens.

Referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 481—An Act to amend Section 580 of the Code of Civil Procedure of the State of California, relating to judgments.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Shanahan: Assembly Bill No. 482—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, and to appoint a secretary therefor, to assist said court in the performance of its duties and in the disposition of numerous causes pending in said court, and to provide for the compensation of said commissioners and secretary, and to appropriate money therefor.

Referred to Committee on Revision of Codes and Statutes.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

MR. SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred Assembly Bill No. 254—An Act to amend Section 237 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

MELICK, Chairman.

At ten o'clock and ten minutes A. M., the Speaker called Mr. Dennery to the chair.

RESOLUTIONS.

By Mr. Mahoney:

Resolved, That Lloyd Childs be and he is hereby appointed Assistant Bill Clerk, at a per diem of $5, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Lacy:

Resolved, That Ed J. Smith be and he is hereby allowed ten days' pay for services rendered the Assembly as Assistant Clerk, from January 12th to January 21st, both dates inclusive; said pay to be made payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Sanford:

Resolved, That the Chairman of the Committee on State Hospitals and Asylums be empowered to appoint a sub-committee of five from said committee to visit the Ukiah, Glen Ellen, Yountville, and Napa asylums, and the committee thus named are granted a leave of absence from Friday noon to Monday noon, said committee to be allowed their actual expenses.

Referred to Committee on State Hospitals and Asylums.

By Mr. Melick:

WHEREAS, It is now evident that a large number of persons, at the temporary organization of this Assembly, received money without rendering any service to the State; and

WHEREAS, These persons received this money by the vote of the Assembly, by a glaring mistake; therefore, be it

Resolved, That this Assembly make a diligent inquiry into the temporary attaché payroll, and report the names of all temporary attachés who rendered no service to the State; and

Resolved, That all persons who are now on the payroll of the permanent organization, and who were on the temporary attaché payroll and rendered no service, be made to either return the money gotten by mistake from the State or be now dismissed from further service.

Referred to Committee on Attachés and Employés.

By Mr. Soward:

ASSEMBLY JOINT RESOLUTION No. 18.

Relative to and advocating the passage of an Act making the Debris Commissioner an ex officio member of the California Debris Commission.

WHEREAS, There is now pending in the Congress of the United States a bill making the Debris Commissioner of this State an ex officio member of the California Debris Commission; and

WHEREAS, The House Committee on Mines and Mining have unanimously recommended the same for passage; therefore, be it

Resolved, That our Senators be instructed and our Representatives in Congress requested to use all honorable means to secure the passage of the same; and be it further

Resolved, That the Governor transmit a copy of this resolution to each of our Senators and Representatives.

Referred to Committee on Mines and Mining Interests.

RESOLUTION.

By Mr. Malcolm:

Resolved, That the Chairman of the Committee on State Hospitals and Asylums be empowered to appoint a sub-committee of five to visit the State asylums at Ukiah, Napa, Yountville, and Glen Ellen, and that they be allowed their actual traveling expenses.

MOTIONS.

Mr. Malcolm moved that the rules be suspended for the purpose of considering the resolution at this time.

Mr. Bridgford moved that the duties of this committee be enlarged, and that they investigate the charges against the Mendocino Asylum.

The Chair ruled the motion out of order.

Mr. Bridgford appealed from the decision of the Chair.

The question being, "Shall the ruling of the Chair stand?"

So ordered.

Mr. Melick moved to amend by substituting "three" for "five."

Motion lost.

The question now recurring on the suspension of the rules.

The ayes and noes were demanded by Messrs. Chynoweth, Anderson, and Hill.

So ordered.

The roll was called, and the rules suspended by the following vote:

AYES—Messrs. Aldridge, Arnerich, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Clarke, Cross, Dennery, Dolan, Elliott, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Henry, Houghton, Hudson, Jones, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McLaurin, North of Yolo, Pohlman, Power of Placer, Robinson, Rubell, Ryan, Sanford, Shanahan, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—57.

NOES—Messrs. Anderson, Boone, Chynoweth, Damon, Dryden, Hill, and Soward—7.

Mr. Malcolm's resolution was adopted.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 320, making an appropriation to pay the expenses of experts and costs and expenses of litigation of the suit now pending in Circuit Court of the United States for the Northern District of California, wherein the Southern Pacific Company is plaintiff and the Board

of Railroad Commissioners of the State of California defendant—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.

BELSHAW, Chairman.

Assembly Bill No. 320 was ordered re-referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1897.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 185—An Act to reduce the expenses of the government of this State.

Also: Assembly Bill No. 114—An Act to provide for the publication of the State Blue Book, or Roster.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the appropriate committees.

GUY, Chairman.

Assembly Bill No. 185 and Assembly Bill No. 114 referred to Committee on Commissions, Retrenchment, and Public Expenditures.

MOTION.

Mr. Belshaw moved that the rules be suspended and Assembly Joint Resolution No. 7 now taken up, out of order, and considered.

So ordered.

ASSEMBLY JOINT RESOLUTION No. 7.

WHEREAS, There is an open ship channel between San Francisco Bay and Antioch, for vessels drawing twenty-five feet of water, with the exception of a distance of from one half to three fourths of a mile in Suisun Bay; and

WHEREAS, The water at low tide on said bar is sixteen feet in depth; therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed, and our Representatives therein be requested and urged, to take such action as shall result in an estimate by Government engineers of the probable cost of dredging said bar to such depth as will admit the safe passage of vessels drawing twenty-five feet of water between said points, hereinbefore mentioned, and that following such report an appropriation by Congress be made to defray such expense.

Resolved, That a copy of these resolutions be immediately forwarded by telegraph to our Senators and Representatives in Congress by the Chief Clerk of the Assembly.

Adopted.

Mr. Belshaw moved that Assembly Joint Resolution No. 7 be immediately transmitted to the Senate.

So ordered.

RESOLUTION.

By Mr. Dryden:

WHEREAS, While not defending the abuse of the power exercised by the Chief Clerk, it is evident under the law that his action in naming the persons who acted during the organization of the House did not, and could not, attach any liability against the State, unless such action was indorsed by the Committees on Mileage and Attachés, and confirmed by a majority vote of the House;

WHEREAS, It appears from the records that, while there were only six working days in the first Legislative week of the Assembly—such was the number of days for which the members received pay—the Committees on Mileage and Attachés reported, and the House allowed, seven days' pay to such attachés, when two was the utmost that should have been allowed, and this waste of money was not entirely caused by the Chief Clerk of the House;

WHEREAS, It is currently rumored that many of such attachés were not in attendance and their pay was collected by agents, and it is also alleged that some attachés on the temporary list are now on the permanent list, thus drawing double pay; therefore, it is

Resolved, That a special committee of five, to be named by the Speaker, be appointed to investigate the whole question of the meeting and organization of this Assembly, and to what extent, and by whom, Article II of Chapter II of Part III of the Political Code, relating to the meeting and organization of the Assembly, has been violated.

Referred to Committee on Attachés and Employés.

GENERAL FILE.

Assembly Constitutional Amendment No. 7—Proposed amendment to Section 7 of Article XI of the Constitution, relative to cities and counties.

Passed on file.

Assembly Constitutional Amendment No. 8—Proposed amendment to Article IV of the Constitution, adding a new section thereto, with reference to local legislation.

Passed on file.

Assembly Constitutional Amendment No. 9—Proposed amendment to Section 7 of Article I of the Constitution, relative to juries.

Passed on file.

Assembly Constitutional Amendment No. 10—Proposed amendment to Section 5 of Article XI of the Constitution, relative to county officers and their compensation.

Passed on file.

SECOND-READING FILE.

Assembly Bill No. 26—An Act to amend Section 15 of an Act entitled an Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867," approved March 30, 1868.

Read second time.

Amendment No. 1—Mr. Soward moved to amend by adding in line following enacting clause and at beginning thereof the words "Section 1."

Adopted.

Amendment No. 2—Mr. Soward moved to amend by inserting on last line preceding first word, "Sec. 2."

Adopted.

Assembly Bill No. 26 ordered to engrossment and third reading.

Assembly Bill No. 30—An Act regulating the mode of operating mines where blasting is being done, and providing for the printing and circulating of copies of this Act.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 13—An Act to amend Section 3817 of the Political Code of the State of California, relating to the redemption of real estate sold for taxes.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 98—An Act to amend Section 1369 and Section 1379 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the competency and appointment of administrators of estates of deceased persons.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing bodies, and repealing conflicting Acts.

Passed on file.

Assembly Bill No. 397—An Act to amend Sections 537 and 538 of the Code of Civil Procedure.

Re-referred to Committee on Judiciary.

Assembly Bill No. 412—An Act to amend Section 337 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 413—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered Section 335½.

Passed on file.

Assembly Bill No. 415—An Act to amend Section 383 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 416—An Act to amend Section 389 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 417—An Act to amend Section 396 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 418—An Act to amend Section 407 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 419—An Act to amend Section 542 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 420—An Act to amend Section 581 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 421—An Act to amend Section 632 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 422—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered Section 635.

Passed on file.

Assembly Bill No. 423—An Act to amend Section 658 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 424—An Act to amend Section 659 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 425—An Act to amend Section 660 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 426—An Act to amend Section 661 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 451—An Act to amend Sections 633 and 634 of the Penal Code of the State of California, relating to fish.

Passed on file.

Assembly Bill No. 452—An Act to repeal Sections 626*a*, 626*b*, 626*c*, 626*d*, 626*e*, 626*f*, 626*g*, 626*h*, 626*i*, 627*a*, 627*b*, 627*c*, and 627*d*, and to amend Sections 626 and 627 of the Penal Code of the State of California, relating to game.

Passed on file.

Assembly Bill No. 453—An Act to amend Sections 1 and 3 of an Act amendatory of an Act entitled "An Act for the better protection of the stockholders in corporations formed under the laws of the State of California for the purpose of carrying on and conducting the business of mining," approved March 30, 1874; approved April 23, 1880.

Passed on file.

FIRST READING OF BILLS.

Assembly Bill No. 332—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Read first time, and ordered on file for second reading.

Assembly Bill No. 22—An Act to amend Section 5 of 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 first time, and ordered on file for second reading.

Assembly Bill No. 21—An Act entitled an Act to amend Section 1 of an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895.

Read first time. and ordered on file for second reading.

Assembly Bill No. 11—An Act to amend Sections 8 and 49 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 March 26, 1895.

Read first time, and ordered on file for second reading.

Assembly Bill No. 12—An Act to amend Section 312 of the Code of Civil Procedure of the State of California, relating to the time of commencing actions.

Read first time, and ordered on file for second reading.

Assembly Bill No. 41—An Act to amend Section 1469 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 estates of deceased persons, where the value of the whole estate does not exceed the sum of $1,500.

Read first time, and ordered on file for second reading.

Assembly Bill No. 46—An Act regulating the hours of labor in sawmills, shingle-mills, shakemills, and logging camps.

Read first time, and ordered on file for second reading.

Assembly Bill No. 80—An Act to provide for the employment of citizens of the United States upon public works within this State.

Read first time, and ordered on file for second reading.

Assembly Bill No. 49—An Act to provide for a lunch hour for employés.

Read first time, and ordered on file for second reading.

Assembly Bill No. 48—An Act to provide for the employment of citizens of the United States upon public works within this State.

Read first time, and ordered on file for second reading.

Assembly Bill No. 43—An Act appropriating the sum of $3,500 for the erection of a California inaugural exhibition arch in the City of Washington, D. C.

Refused first reading.

Assembly Bill No. 40—An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays.

Read first time, and ordered on file for second reading.

Assembly Bill No 68—An Act to amend "An Act to establish the fees of county, township, and other officers, and of jurors and witnesses, in this State," relating to fees to be paid County Clerks.

Read first time, and ordered on file for second reading.

Assembly Bill No. 18—An Act to amend clause 37, Section 25, County Government Act.

Read first time, and ordered on file for second reading.

Assembly Bill No 78—An Act to amend the section referring to jurors' fees in "An Act to establish the fees of county, township, and other officers, and of jurors and witnesses, in this State," approved March 28, 1895.

Read first time, and ordered on file for second reading.

Assembly Bill No. 57—An Act to amend Section 792 of the Political Code so as to prohibit a county officer, or his deputy, from being a notary public.

Read first time, and ordered on file for second reading.

Assembly Bill No. 150—An Act to define the duties and liabilities of employment agents.

Read first time, and ordered on file for second reading.

Assembly Bill No. 6—An Act authorizing the appointment of an interpreter of the Japanese language in criminal proceedings, in cities, and cities and counties, of one hundred thousand inhabitants and over.

Read first time, and ordered on file for second reading.

Assembly Bill No. 139—An Act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof.

Read first time, and ordered on file for second reading.

Assembly Bill No. 268—An Act to provide for the annual salaries of the Judges of the Superior Court of the City and County of San Francisco.

Read first time, and ordered on file for second reading.

Assembly Bill No. 264—An Act to amend Section 172 of the Civil Code, relative to the management and control of community property.

Read first time, and ordered on file for second reading.

Assembly Bill No. 260—An Act to validate the organization and incorporation of municipal corporations.

Read first time, and ordered on file for second reading.

Assembly Bill No. 149—An Act to amend Section 702 of the Code of Civil Procedure, relating to redemption of property sold under judgment.

Withdrawn, by unanimous consent.

Assembly Bill No. 4—An Act to protect all citizens in their civil and legal rights.

Read first time, and ordered on file for second reading.

Assembly Bill No. 14—An Act to amend Section 2955 of the Civil Code of California, respecting the mortgaging of personal property.

Read first time, and ordered on file for second reading.

Assembly Bill No. 172—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Read first time, and ordered on file for second reading.

Assembly Bill No. 164—An Act to amend Section 2181 of the Civil Code of California, relating to luggage.

Read first time, and ordered on file for second reading.

Assembly Bill No. 173—An Act to add a new section to the Penal Code of the State of California, to be be known and designated as Section 180, relating to the acceptance and holding of private deposits of moneys, or other valuables, in the county treasury by the County Treasurers.

Read first time, and ordered on file for second reading.

Assembly Bill No. 23—An Act entitled "An Act to amend Section 1575 of the Code of Civil Procedure."

Read first time, and ordered on file for second reading.

Assembly Bill No. 64—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.

Refused first reading.

Assembly Bill No. 157—An Act to regulate the width of tires of wagons to be used on the public highways of the State of California.

Read first time, and ordered on file for second reading.

Assembly Bill No. 196—An Act: Be it enacted by the Assembly in session, 1897, the Senate concurring, that the following Act be added to the road law of California, to be numbered Section 2737½, Article VIII.

Read first time, and ordered on file for second reading.

Assembly Bill No. 199—An Act to amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gate.

Read first time, and ordered on file for second reading.

Assembly Bill No. 251—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 397 thereof, relating to penalties for selling liquor to habitual or common drunkards and Indians.

Read first time, and ordered on file for second reading.

Assembly Bill No. 76—An Act to amend Section 261 of the Penal Code of the State of California, relating to the crime of rape, and what constitutes the same.

Read first time, and ordered on file for second reading.

Assembly Bill No. 303—An Act to authorize the Board of Fish Commissioners to purchase or construct a gasoline launch, to aid in carrying out the purposes of said Board, and appropriating money therefor.

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

SPECIAL ORDERS.

On motion of Mr. Shanahan, Senate Joint Resolution No. 2 was made special order for Tuesday morning, immediately after reading of the Journal.

Assembly Joint Resolution No. 5 was withdrawn by the author, Mr. Hudson, by unanimous consent.

On motion of Mr. Dibble, Assembly Joint Resolution No. 4 and Assembly Joint Resolution No. 17 were made special orders for Tuesday morning, immediately after reading of the Journal.

On motion of Mr. Ennis, Assembly Bill No. 134 was made special order for to-morrow, immediately after reading of the Journal.

ADJOURNMENT.

At twelve o'clock and twenty minutes P. M., on motion of Mr. Dibble, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 22, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford. Burnett, Burnham, Caminetti, Canavan. Cartwright, Chynoweth, Clarke, Cross, Cutter, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

APPROVAL OF JOURNAL.

The Journal of January 20th was approved.

READING OF THE JOURNAL.

The reading of the Journal of yesterday was dispensed with.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1897.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.: Assembly Bill No. 134—An Act to amend 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, relating to the office of Commissioner of Public Works.

Also: Assembly Bill No. 30—An Act regulating the mode of operating mines where blasting is being done, and providing for the printing and circulating of copies of this Act.

Also: Assembly Bill No. 13—An Act to amend Section 3817 of the Political Code of the State of California, relating to the redemption of real estate sold for taxes.

Also: Assembly Bill No. 98—An Act to amend Section 1369 and Section 1379 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the competency and appointment of administrators of estates of deceased persons.

AUSTIN, Chairman.

SPECIAL ORDERS.

Assembly Bill No. 134—An Act to amend 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, relating to the office of Commissioner of Public Works.

Read third time.

Mr. Dibble moved that the bill be referred to a select committee of one, for the purpose of amending it by adding the following words to Section 1:

And provided, that said commissioner shall not have power to employ any engineers, assistants, attorneys, agents, or other persons, without the approval of the State Board of Examiners.

PREVIOUS QUESTION.

Pending the consideration of the motion to amend, Mr. Cutter moved the previous question, seconded by Messrs. Keables and Bettman.

The question being, "Shall the main question be now put?"

So ordered.

The question now being on the motion of Mr. Dibble to amend.

The ayes and noes were demanded by Messrs. Dibble, Chynoweth, and Waymire.

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

AYES—Messrs. Burnett, Chynoweth, Dibble, Dryden, Emmons, Foreman, Hill, Houghton, Hudson, Melick, McCandlish, Pohlman, Shanahan, Vosburg, Waymire, and Mr. Speaker—16.

NOES—Messrs. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dennery, Dolan, Elliott, Ennis, Fontana, Gately, Godfrey, Goff, Guy, Henry, Keables, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, McClellan, McLaurin, North of Alameda, North of Yolo, Power of Placer, Robinson, Ryan, Sanford, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, and Wright—51.

The question now recurring on the final passage of the bill.

Pending the consideration, Mr. Cutter moved the previous question, seconded by Messrs. Sims and Ennis.

The question being, "Shall the main question be now put?"

So ordered.

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

AYES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnham, Caminetti, Canavan, Cartwright, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Guy, Harris, Henry, Hill, Jones, Keables, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Robinson, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—59.

NOES—Messrs. Boone, Burnett, Chynoweth, Dryden, Emmons, Houghton, McClellan, and Mr. Speaker—8.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Dibble gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 134 was passed.

LEAVE OF ABSENCE.

Mr. Goodhue was granted leave of absence for the day.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 261—An Act for the appointment of a commissioner to represent the State of California at the Central American Exhibition, to be held in the City of Guatemala, on March 15, 1897, and to prescribe his powers and duties; and to authorize the appointment of a clerk; and to provide for the expenses of said commissioner, and the compensation of said clerk, and for certain expenses of the California exhibit at said exhibition, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUY, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1897.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred the following resolution by Mr. Caminetti:

Resolved, That the State Board of Harbor Commissioners be and it is hereby requested to furnish the Assembly with the following information:

First—The present condition of the Belt Line Railroad on the water front of San Francisco, the use, if any, made thereof, by whom, and under what terms;

Second—What obstructions, if any, by electric or other railroad tracks have been made on or near that portion of the Belt Line already constructed, or on or near the line of the proposed extension thereof, by what company or companies have the same been made, and by what authority;

Third—What arrangements, plans, or contracts, if any, have been made for the use of any part, or all, of the new Market Street depot when completed, with what company or companies, for what purposes, for what length of time, at what rental, and under what conditions and reservations;

Fourth—What arrangements, plans, or contracts, if any, have been made for the use of any slip at foot of Market Street and adjacent space, with what company or companies, for what purposes, for what length of time, at what rental, and under what conditions and reservations;

Fifth—What addition, if any, has been made to the original estimate of cost of said depot, including foundations thereof, giving such original estimate, total cost when completed, and from what fund payments have been and are now being made

Sixth—What is the number of slips, also of piers, from which use can be made of said depot for the landing of passengers;

Seventh—What is the number of rooms suitable for offices, or other use, in said depot, and the area of each;

Eighth—What is the proposed plan of said board for use of said depot, slips, and piers, and what number of transportation companies can be accommodated by the same;

Resolved, That the Chief Clerk immediately transmit a copy of this resolution to said board.

Have had the same under consideration, and respectfully report the same back, and recommend that the said resolution be adopted.

POHLMAN, Chairman.

Adopted.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 286—An Act directing the State Prison Directors of the State of California to employ at least twenty (20) prisoners in the construction of roads to the State Prison at San Quentin—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No 51—An Act governing the transportation of the insane from the counties in which they have been committed to the asylums of the State of California, and designating the person or persons who shall convey such insane persons to said asylums—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on State Hospitals and Asylums.

CANAVAN, Chairman.

Assembly Bill No. 51 referred to Committee on State Hospitals and Asylums.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1897.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 45—An Act requiring every corporation doing business in this State to pay

their employés, 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-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 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 it do pass as amended.

DENNERY, Chairman.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1897.

MR SPEAKER: Your committee, the San Francisco Delegation, to whom was referred Assembly Bill No. 316—An Act to provide for increasing the efficiency of fire departments within municipalities of the first class in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MULCREVY, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 130—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance, approved March 19, 1891, relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance and corporations hereafter to be formed to conduct such insurance."

Also: Assembly Bill No 123—An Act to amend Section 634 of the Political Code, in relation to insurance, approved April 1, 1878.

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

CUTTER, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 123—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.

Also: Assembly Bill No. 124—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to powers of the boards of trustees of certain cities

Also: Assembly Bill No. 182—An Act to authorize any city or city and county of this State to take its census.

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

VALENTINE, Chairman.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 127.

Also: Assembly Bill No. 111.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Judiciary Committee, said committee to pass upon the same, and if found to be constitutional, the same to be recommitted to this committee.

KEABLES, Chairman.

Adopted.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 24—An Act to amend Section 172 of the Civil Code, relating to the power of the hus-

band over community property—have had the same under consideration, and respectfully report the same back, and recommend that the author be requested to withdraw the same.

WAYMIRE, Chairman.

Mr. Soward was, by unanimous consent, granted permission to withdraw Assembly Bill No. 24.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 190—An Act to amend Section 32 of an Act approved March 26, 1895, entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors"—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 29—An Act entitled "An Act to amend Section 1192 of the Code of Civil Procedure"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WAYMIRE, Chairman.

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1897.

MR. SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred the following resolution by Mr. Wright:

WHEREAS, There are now pending before this body several bills providing additional appropriations for public institutions, and as the need for such appropriations must be determined by careful inspection; therefore, be it

Resolved, That the Committee on State Hospitals and Asylums and the Committee on Public Buildings and Grounds be authorized to proceed to such institutions for the purpose of inspection (not more than four members from each committee to be appointed by the Chairman of each committee), and that only the actual traveling expenses be allowed.

Have had the same under consideration, and respectfully report the same back, with the recommendation that it be amended to read "Not more than three members from each committee, to be appointed by the Chairman of each committee, and that only the actual traveling expenses be allowed; that all expense accounts shall be audited by the Chairman of each committee, the same to be returned to this Assembly in the shape of receipted vouchers for each item of expense incurred"

With which amendment your committee recommend that it be adopted.

MELICK, Chairman.

Adopted.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1897.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 118—Making an appropriation to pay the claim of the Evening Express Company, of Los Angeles, California.

Also: Assembly Bill No. 296—To appropriate the sum of two hundred and ninety-five dollars and eighty-five cents ($295 85) to pay the claim of the Tribune Printing Company against the State

Also: Assembly Bill No. 305—Appropriating $287,000 to pay claims against the State of California, known as coyote scalp claims.

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

Also: Assembly Bill No. 62—Making an appropriation to pay the claim of Thomas Hatch.

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

BELSHAW, Chairman.

Assembly Bills Nos. 296, 305, and 62 referred to Committee on Ways and Means.

ON COUNTY AND TOWNSHIP GOVERNMENTS

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No 277—An Act to amend Section 3766 of the Political Code of the State of California, relating to the publication of the delinquent tax list—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BURNHAM, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 352—An Act authorizing the Secretary of State to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as Janitor's Clerk, who shall keep the accounts of the supply department, and making an appropriation for the payment of his salary for the remainder of the forty-eighth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Ways and Means.

WAYMIRE, Chairman.

Adopted.

Assembly Bill No. 352 referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 335—An Act to provide for the establishment of a board of examiners for the California Therapeutic Society and College, which is to be self-sustaining—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Public Health and Quarantine.

WAYMIRE, Chairman

Adopted.

Assembly Bill No. 335 referred to Committee on Public Health and Quarantine.

ON MINES AND MINING INTERESTS

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1897.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No 341—An Act relating to rights of way across mining claims—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SOWARD, Chairman.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, January 21, 1897.

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

Senate Joint Resolution No. 8—Relative to tariff on asphaltum.

Also: Senate Concurrent Resolution No. 3—Relative to adjournment *sine die*.

Also: Passed the following:

Senate Bill No. 44—Entitled an Act to amend Section 1189 of the Civil Code, relating to acknowledgment of instruments.

F. J. BRANDON, Secretary.

Senate Joint Resolution No. 8 referred to Committee on Federal Relations.

Senate Concurrent Resolution No. 3 referred to Committee on Ways and Means.

Senate Bill No. 44 referred to Committee on Revision of Codes and Statutes.

INTRODUCTION OF BILLS.

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

By Mr. Shanahan: Assembly Bill No. 483—An Act making an appropriation to pay the claim of Modoc County against the State of California.

Referred to Committee on Claims.

By Mr. Jones: Assembly Bill No. 484—An Act entitled an Act to make the Police Court in counties, cities, and cities and counties

having a population of two hundred thousand inhabitants, a court of record.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 485—An Act to confer further powers upon the Board of Supervisors in the City and County of San Francisco, in relation to the public pound, and the appointment of a poundmaster and deputy poundmasters therefor.

Referred to San Francisco Delegation.

By Mr. Emmons: Assembly Bill No. 486—An Act entitled "An Act to establish a Board of Warehouse Commissioners, and prescribe their powers and duties, and to regulate warehouses in the State of California, and to provide for the appointment and prescribe the powers and duties of warehouse inspectors and weighers."

Referred to Committee on Agriculture.

Also: Assembly Bill No. 487—An Act entitled an Act to suppress bucket shops, and gambling in stocks, bonds, petroleum, cotton, grain, provisions, or other produce.

Referred to Committee on Public Morals.

By Mr. North, of Alameda: Assembly Bill No. 488—An Act to amend Section 1468 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 489—An Act to amend Section 1468 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Referred to Committee on Revision of Codes and Statutes.

By Mr. Sims: Assembly Bill No. 490—An Act to amend Sections 3629, 3633, 3651, 3653, 3658, 3678, 3681, 3738, 3746, 3795, 3820, 3821, 3825, 3826, and 3881 of the Political Code, relating to the general revenue of the State, and to property liable to assessment and taxation for the purposes of revenue, and the duties of taxpayers for the purpose of assessment of property and in the collection of taxes; and to add to the Political Code a new section, to be known as Section 3683, relating to the making of abstracts by the Register of Land Office; and also a new section, to be known as Section 3831, relating to taxes on mortgage interest on personal property, and providing the time of the payment of the same, and the means of forced collection of the same.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 491—An Act to provide for the holding of a convention by the County Assessors of the State of California at the State Capitol, and making an appropriation to defray the expenses thereof.

Referred to Committee on Claims.

By Mr. Treacy: Assembly Bill No. 492—An Act to amend an Act entitled "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 for other purposes," approved March 28, 1895.

Referred to Committee on Public Works, State Capitol, and Parks.

By Mr. Pohlman: Assembly Bill No. 493—An Act to provide a relief fund for injured and disabled firemen of the volunteer fire departments within incorporated cities and towns.

Referred to Committee on Municipal Corporations.

By Mr. Canavan: Assembly Bill No. 494—An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor.

Referred to Committee on Agriculture.

By Mr. Valentine: Assembly Bill No. 495—An Act relative to the granting by municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 496—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Referred to Committee on Judiciary.

By Mr. Soward: Assembly Bill No. 497—An Act for the relief of district agricultural associations.

Referred to Committee on Agriculture.

By Mr. Ennis: Assembly Bill No. 498—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children, and to prevent and punish wrongs to children," approved March 29, 1878.

Referred to Committee on Public Morals.

Also: Assembly Bill No. 499—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled an Act for the more effectual prevention of cruelty to animals, approved March 20, 1874, and to add two new sections to said act, to be known as Sections 20 and 21.

Referred to Committee on Public Morals.

By Mr. Waymire: Assembly Bill No. 500—An Act to amend Section 408 of the Political Code, and to repeal Section 410 thereof.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 501—An Act to amend Section 758 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 502—An Act for the relief of W. C. Guirey.

Referred to Committee on Claims.

By Mr. Gately: Assembly Bill No. 503—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.

Referred to Committee on Corporations.

RESOLUTION.

By Mr. North, of Alameda:

Resolved, That the State Printer is hereby instructed to print 750 additional copies of Assembly Bill No. 164.

On motion of Mr. North, of Alameda, the resolution was adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 70—An Act to amend Section 105 of the Code of Civil Procedure of the State of California, relating to the powers of Justices of the Peace to call in other Justices of the Peace to act in their place and stead

Also: Assembly Bill No. 71—An Act to amend Section 4428 of the Political Code of

the State of California, relating to the powers of Judges of Police Courts to call in Justices of the Peace to act in their place and stead.

Also: Assembly Bill No. 253—An Act to increase the number of Judges of the Superior Court of the County of Santa Clara, and to provide for the appointment of an additional Judge.

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

Also: Assembly Bill No 88—An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution, and to repeal Section 1136, relating to property subject to attachment, execution, or other legal process

Have had the same under consideration, and respectfully report the same back, and recommend that the author be granted leave to withdraw the same.

WAYMIRE, Chairman.

Adopted.

By unanimous consent, Mr. Soward, the author, was granted permission to withdraw Assembly Bill No. 88.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 89—An Act to amend "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895, by amending Sections 6 and 69 thereof, relating, respectively, to the appointment of a time for the election of an assignee and to costs in cases of involuntary insolvency

Also: Assembly Bill No. 183—An Act to amend Section 690 of the Code of Civil Procedure, relating to exemption from execution.

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

WAYMIRE, Chairman.

Mr. Hill requested that Assembly Bill No. 78 be re-referred to Committee on County and Township Government.

SPECIAL FILE.

Assembly Constitutional Amendment No. 7—Proposed amendment to Section 7 of Article XI of the Constitution, relative to cities and counties.

Passed on file.

Assembly Constitutional Amendment No. 8—Proposed amendment to Article IV of the Constitution, adding a new section thereto, with reference to local legislation.

Passed on file.

Assembly Constitutional Amendment No. 9—Proposed amendment to Section 7 of Article I of the Constitution, relative to juries.

Passed on file.

Assembly Constitutional Amendment No. 10—Proposed amendment to Section 5 of Article XI of the Constitution, relative to county officers and their compensation.

Passed on file.

THIRD-READING FILE.

Assembly Bill No. 26—An Act to amend Section 15 of an Act entitled an Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867," approved March 30, 1868.

Passed on file.

Assembly Bill No. 30—An Act regulating the mode of operating mines where blasting is being done, and providing for the printing and circulating of copies 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. Aldridge, Anderson, Arnerich, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Guy, Harris, Hill, Houghton, Jones, Keables, Keegan, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McLaurin, North of Alameda, North of Yolo, Power of Placer, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Waymire, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Assembly Bill No. 13—An Act to amend Section 3817 of the Political Code of the State of California, relating to the redemption of real estate sold for taxes.

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. Bridgford, Caminetti, Dibble, Elliott and Godfrey—5.

NOES—Messrs. Aldridge, Anderson, Arnerich, Belshaw, Bettman, Boone, Breiling, Burnett, Burnham, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dolan, Dryden, Emmons, Ennis, Foreman, Gately, Goff, Guy, Harris, Hill, Houghton, Hudson, Keables, Keegan, Lacy, Leavitt, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Power of Placer, Robinson, Rubell, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—55.

RECESS.

At twelve o'clock and twenty minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until three o'clock P. M.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

Mr. Dibble moved that when the Assembly adjourn it be until Monday.

So ordered.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 98—An Act to amend Section 1369 and Section 1379 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the competency and appointment of administrators of estates of deceased 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. Aldridge, Austin, Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Dennery, Dibble, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Guy, Hill, Houghton, Jones, Keables, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of

San Francisco, Robinson, Rubell, Ryan, Sims, Shanahan, Soward, Strain, Toland, Valentine, Waymire, and Mr. Speaker—54.
NOES—Mr. Treacy—1.

Title read and approved.

SECOND-READING FILE.

Assembly Bill No. 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing bodies, and repealing conflicting Acts.

Read second time.

Ordered to engrossment and third reading.

Assembly Bill No. 412—An Act to amend Section 337 of the Code of Civil Procedure.

Read second time.

Ordered to engrossment and third reading.

Assembly Bill No. 413—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered Section 335½.

Read second time.

Ordered to engrossment and third reading.

Assembly Bill No. 414—An Act to amend Section 339 of the Code of Civil Procedure.

Read second time.

Ordered to engrossment and third reading.

Assembly Bill No. 415—An Act to amend Section 383 of the Code of Civil Procedure.

Read second time.

Ordered to engrossment and third reading.

Assembly Bill No. 416—An Act to amend Section 389 of the Code of Civil Procedure.

Read second time.

Ordered to engrossment and third reading.

Assembly Bill No. 417—An Act to amend Section 396 of the Code of Civil Procedure.

AMENDMENT.

Mr Dibble moved to amend by adding to the title of the bill the words "Code of Civil Procedure."

Adopted.

Assembly Bill No. 417 ordered to engrossment and third reading.

Assembly Bill No. 418—An Act to amend Section 407 of the Code of Civil Procedure.

Read second time.

Ordered to engrossment and third reading.

Assembly Bill No. 419—An Act to amend Section 542 of the Code of Civil Procedure.

Read second time.

Ordered to engrossment and third reading.

At three o'clock and forty-five minutes P. M., the Speaker called Mr. Sims to the chair.

Assembly Bill No. 420—An Act to amend Section 581 of the Code of Civil Procedure.

Read second time.

Ordered to engrossment and third reading.

Assembly Bill No. 421—An Act to amend Section 632 of the Code of Civil Procedure.

Read second time.

Ordered to engrossment and third reading.

Assembly Bill No. 422—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered Section 635.

Read second time.

Ordered to engrossment and third reading.

Assembly Bill No. 423—An Act to amend Section 658 of the Code of Civil Procedure.

Read second time.

Ordered to engrossment and third reading.

Assembly Bill No. 424—An Act to amend Section 659 of the Code of Civil Procedure.

Read second time.

Ordered to engrossment and third reading.

Assembly Bill No. 425—An Act to amend Section 660 of the Code of Civil Procedure.

Read second time.

Ordered to engrossment and third reading.

Assembly Bill No. 426—An Act to amend Section 661 of the Code of Civil Procedure.

Read second time.

Ordered to engrossment and third reading.

Assembly Bill No. 451—An Act to amend Sections 632 and 634 of the Penal Code of the State of California, relating to fish.

Read second time.

AMENDMENT.

Mr. Cutter moved to amend by striking out of Section 2, line 4, the word "September," and inserting the following: "August."

Pending the consideration of the amendment offered by Mr. Cutter, Mr. Bridgford moved that Assembly Bill No. 451 be passed on file.

Mr. Shanahan moved as a substitute that the whole matter be postponed and made a special order for Tuesday morning, immediately after reading of the Journal.

Mr. Bridgford accepted the substitute.

Substitute motion prevailed, and it was so ordered.

Assembly Bill No. 452—An Act to repeal Sections 626*a*, 626*b*, 626*c*, 626*d*, 626*e*, 626*f*, 626*g*, 626*h*, 626*i*, 627*a*, 627*b*, 627*c*, and 627*d*, and to amend Sections 626 and 627 of the Penal Code of the State of California, relating to game.

Read second time.

Mr. Shanahan moved to pass the consideration at this time and make the whole matter a special order for Tuesday morning, immediately after reading of the Journal.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1897

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

WHEREAS, The twenty-ninth session of the Legislature of this State did enact the following:

"SECTION 1. In every department, upon all public works, whether under contract or not, in all offices, employments, places, and positions of trust or profit of this State, honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion must be preferred for appointment, employment, and retention therein, and age, loss of limb, or other physical impairment, which does not in fact incapacitate, shall not be deemed to disqualify them; *provided*, they possess the capacity necessary to fill the position; and persons thus preferred or appointed, unless appointed or employed for a definite statutory period, shall not be dismissed from such positions, offices, or employments except upon charges, after a hearing, and for just cause.

"SEC. 2. This Act shall take effect immediately"; and

WHEREAS, Thus far, this session of the Assembly, in its several branches, has unintentionally failed to make appointments in conformity with said law; therefore, be it

Resolved, That in the event of there being further appointments made by this House, a fair proportion of any and all said preferments shall be given to honorably discharged ex-Union soldiers and sailors

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

VOSBURG, Chairman.

Adopted.

At four o'clock and thirty minutes P. M., Speaker Coombs resumed the chair.

Mr. Wright moved that the further consideration of to-day's file be dispensed with, and the Committee on Attachés and Employés be allowed to report out of order.

So ordered.

At five o'clock and twenty minutes P. M., Mr. Henry moved to adjourn.

Lost.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON ATTACHÉS AND EMPLOYÉS—MAJORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1897.

MR. SPEAKER: Your Committee on Attachés, to which was referred resolution calling for an investigation into the conduct of S. J. Duckworth, Chief Clerk of this Assembly, with reference to the temporary organization of the House, beg leave to report as follows:

In addition to our former report, we beg leave to submit the following:

A committee was appointed by the Speaker on Mileage, to which was referred the temporary roll pertaining to the temporary organization of the Assembly; said committee made its report on the ——— day of January, whereupon the Speaker of this House, in order to give the House an opportunity to investigate the same, referred the report back to the committee; that the Speaker of the House asked the Controller of State to investigate said report; that pending said investigation by the Controller, the report was again presented to the Assembly, whereupon the Speaker, addressing the Chief Clerk, said:

"Mr. Clerk, the members are not paying attention to your reading, nor could they hear you if they did."

The Speaker then addressed the Assembly, as follows:

"Gentlemen of the Assembly: I have not been able to investigate the report satisfactorily, but I understand that persons mentioned in the report are allowed mileage who are not statutory officers, and think it should be investigated before it is finally adopted." Whereupon a member asked:

"What amount was in excess of the amount allowed for statutory officers?"

The answer to this—it was given out from the Clerk's desk—"that the amount was but $100 40."

These proceedings were by the Speaker called to the attention of every member of the House then present, and every such member of the House had an opportunity to investigate the matter then and there. During the consideration of the report, Mr. Treacy, representing the minority of the Committee on Mileage, arose in his place and strongly advocated the adoption of the committee's report, saying, among other things, "that it had been thoroughly considered by the committee; that it was in all particulars correct, and should be adopted without delay."

The Speaker again, before putting the main question, said: "Gentlemen, I do not desire to impugn the intentions of the committee, and do not know whether the report is correct or not, as I have not been able to examine it, but I do not desire it passed until the House has had time to consider it."

The House then, acting upon the faith it had in the committee, and the statement made upon the floor from members of the committee and information from the Clerk's desk, adopted the report of the committee

Your committee find that the House itself was derelict in adopting the report of the committee without further considering it, after the matter had so plainly been placed before it by the Speaker; but that this dereliction falls upon all the members of the

House, of whatever political party, and that the House was misled and grossly deceived in the matter, and in all things pertaining to said report.

The committee offers the following resolution:

WHEREAS, In the appointment of said temporary officers sufficient is known to substantiate the charge against the Clerk of the House of gross abuse of power on his part; therefore, be it

Resolved, That the Committee on Commissions and Retrenchment be required to investigate said charges, and for such purpose is hereby invested with all powers to subpœna and compel the attendance of witnesses and to administer oaths.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

VOSBURG, Chairman.

ON ATTACHÉS AND EMPLOYÉS—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1897.

MR. SPEAKER: The following report is submitted by the minority of the Committee on Attachés:

We concur in all that portion of the report of the majority which recommends that the whole subject-matter be turned over to the Committee on Retrenchment, and further demand that said committee fully investigate said matter, and all unlawful acts of the Assembly attachés.

LANDSBOROUGH.
KEEGAN.

SUBSTITUTE.

Mr. Leavitt moved the following as a substitute for both majority and minority reports:

WHEREAS, Charges of a serious nature have been made relative to frauds said to have been practiced during the temporary organization of this Assembly; and

WHEREAS, The Chief Clerk of the Assembly, S. J. Duckworth, is charged with complicity therein, and he denies said charges; therefore, be it

Resolved, That a special committee of seven be named by this Assembly to investigate all said charges, relative to the organization of this House, and to report its findings to this House.

Said committee shall have full power to subpœna witnesses, administer oaths, take testimony, and such other power as shall be necessary for the full performance of their duties.

Mr. North, of Alameda, moved that the third paragraph be amended as follows:

Resolved, That a special committee of seven be named by the Speaker of this Assembly to investigate all said charges relative to the temporary organization of this House, and to report its findings to this House.

Mr. Leavitt accepted the amendment offered by Mr. North.

The motion of Mr. Leavitt to substitute his resolution was adopted.

The question then recurring upon the substitute offered by Mr. Leavitt.

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations beg leave to report the following substitute for Rule XIII, and recommend its adoption:

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.

Also: Your Committee on Rules and Regulations beg leave to report the following substitute for Rule VI, and recommend its adoption:

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.

Also: Your Committee on Rules and Regulations, to whom was referred the following resolution, introduced by Mr. Guy:

Resolved, That the Superintendent of State Printing be and he is hereby instructed to print daily, in addition to the number heretofore ordered, two hundred copies each of all bills, joint and concurrent resolutions, constitutional amendments, Journal, Files, and History.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CHYNOWETH, Chairman

Mr. Dibble moved that the reading of the report of the Committee on Rules and Regulations be dispensed with, and be printed in the Journal.

So ordered.

ADJOURNMENT.

At five o'clock and thirty minutes P. M., on motion of Mr. Dibble, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 25, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Goft, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McGrath, McLaurin, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Soward, Stansell, Strain, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. North, of Alameda, and Godfrey were granted leave of absence for the day, and Mr. Wright until eleven o'clock A. M.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

The reading of the Journal of Friday, on motion of Mr. Shanahan, was dispensed with.

APPROVAL OF JOURNAL.

The Journal of January 21st was approved.

QUESTION OF PRIVILEGE.

Mr. Shanahan spoke to a question of personal privilege regarding charges made by the San Francisco Call in the matter of the temporary roll.

APPOINTMENT BY SPEAKER.

The Speaker announced the appointment of the following special committee "to investigate all charges regarding the organization of the House":

Messrs. Waymire, Kenyon, Strain, Stansell, Keables, Emmons, and Boone.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1897.

MR SPEAKER: Your Committee on Ways and Means beg leave to submit the following report of its proceedings up to and including Friday, January 22d Up to that date bills carrying appropriations have been referred to this committee, as follows:

Jan 12, Assembly Bill No. 43—For the erection of an inaugural arch	$3.500 00
Jan. 12, Assembly Bill No. 44—To establish a Department of Labor	15,000 00
Jan. 12, Assembly Bill No. 114—For publication of Blue Book. No appropriation.	
Jan. 14, Assembly Bill No. 132—For erection of a sewage pumping plant at Folsom Prison	15,000 00
Jan. 15, Assembly Bill No. 83—To provide for the appointment of Debris Commissioner, and an appropriation to be expended under his direction	250,000 00
Jan 15, Assembly Bill No. 185—To reduce expenses of State Government. No appropriation	
Jan. 15, Assembly Bill No. 206—Claim of Britton and Rey	1,348 75
Jan. 15, Assembly Bill No. 207—Claim of Britton and Rey	1,078 60
Jan. 15, Assembly Bill No. 208—Deficiency Southern California Asylum	8,748 46
Jan. 15, Assembly Bill No. 209—Claim of R. J. Broughton	15 03
Jan. 15, Assembly Bill No. 210—Claim of W C. Conroy	98 75
Jan. 15, Assembly Bill No. 211—Deficiency Bureau Labor Statistics	1,649 80
Jan 15, Assembly Bill No 212—Claim of Charles Phipps	175 00
Jan. 15, Assembly Bill No. 213—Claim of Clement Bennett	1,233 80
Jan. 15, Assembly Bill No. 214—Deficiency incurred by calling out the National Guard	54 75
Jan. 15, Assembly Bill No. 215—Claims of C. E. Cunningham and W. C. Rogers for services as elevator attendants in Capitol building	870 00
Jan 15, Assembly Bill No. 216—Deficiency Clerk Supreme Court	8 74
Jan. 15, Assembly Bill No. 217—State Board of Health traveling expenses	435 90
Jan. 15, Assembly Bill No. 218—Claim of Frank H. Lombard	627 10
Jan. 15, Assembly Bill No 219—Deficiency for forestry stations	899 37
Jan. 15, Assembly Bill No. 220—Deficiency for State Burial Grounds	8 99
Jan. 15, Assembly Bill No 221—Claim of George A Parker	300 00
Jan. 15, Assembly Bill No 222—Claim of George A. Parker	100 00
Jan. 15, Assembly Bill No. 223—Claim of Edwin F. Ingles	300 00
Jan. 15, Assembly Bill No. 224—Claim of Luke Kavanagh	1,051 30
Jan. 15, Assembly Bill No. 225—Claim of Clarence S. Merrill	731 60
Jan. 15, Assembly Bill No. 226—Claim of Wm. Macdonald	234 20
Jan. 15, Assembly Bill No. 227—Expenses incurred by calling the National Guard of California into service, in 1894	549 50
Jan. 15, Assembly Bill No. 228—Claim of Earl H. Daggett	300 00
Jan. 15, Assembly Bill No. 229—Claim of Sarah H. Wing	5,000 00
Jan. 15, Assembly Bill No. 230—Claim of A. J. Bogard	300 00
Jan. 15, Assembly Bill No 231—Claim of W. N. Hendricks	300 00

Jan. 15, Assembly Bill No. 232—Claim of Merced Sun	$380 00
Jan. 15, Assembly Bill No. 233—Claim of The Bulletin	2,478 60
Jan. 15, Assembly Bill No. 234—Claim of Tribune Publishing Company	2,160 00
Jan. 15, Assembly Bill No. 235—Claim of Cassasa's First Regiment Band	220 00
Jan. 15, Assembly Bill No. 236—Deficiency traveling expenses Board of Railroad Commissioners	55 00
Jan. 15, Assembly Bill No. 237—Claim of W. J. Deater	396 60
Jan. 15, Assembly Bill No. 238—Claim of Geo A. Sturtevant	314 72
Jan. 15, Assembly Bill No. 239—To pay expenses incurred by the Code Commissioners	1,221 89
Jan. 15, Assembly Bill No. 240—Deficiency in the appropriation for the erection of rock-crushing plant	344 80
Jan. 15, Assembly Bill No. 241—Expenses of funeral of State Librarian Perkins	1,102 08
Jan. 15, Assembly Bill No. 242—Claim of R. L. Peeler	37 70
Jan. 15, Assembly Bill No. 243—Deficiency in appropriation for expenses incurred in calling out National Guard of California, in 1894	728 13
Jan. 15, Assembly Bill No. 244—Claim of Examiner	4,786 56
Jan. 15, Assembly Bill No. 245—Claim of James H. Barry	250 00
Jan 15, Assembly Bill No. 246—Claim of The Bee	1,440 00
Jan. 15, Assembly Bill No. 247—Claim of The Daily Report	2,006 00
Jan. 15, Assembly Bill No. 248—Claim of the Herald Publishing Company	1,255 50
Jan. 15, Assembly Bill No. 249—Claim of Dennis Jordan	63,563 66
Jan. 15, Assembly Bill No. 250—Funeral expenses of Lieutenant-Governor Millard	1,118 33
Jan. 15, Assembly Bill No 262—Claim of Geo. E. Lawrence	46 50
Jan. 15, Assembly Bill No. 263—Appropriation for State Printing Office	75,000 00
Jan. 19, Assembly Bill No. 287—To pay expenses of Presidential Electors	500 00
Jan 19, Assembly Bill No 288—Deficiency in appropriation for repairs to the Capitol building and furniture	5,000 00
Jan. 19, Assembly Bill No 317—For erection in Golden Gate Park of a monument to Col. E. D. Baker	15,000 00
Jan. 19, Assembly Bill No. 318—Claim of John F. Kidder	724 25
Jan. 20, Assembly Bill No. 319—For special counsel employed by Board of Railroad Commissioners	25,000 00
Jan. 20, Assembly Bill No. 323—For improvements at the Deaf, Dumb, and Blind Asylum, Berkeley	487 25
Jan. 20, Assembly Bill No. 19—For an exhibit at the Paris Exposition in 1900	20,000 00
Jan. 20, Assembly Bill No. 20—For exhibit at Nashville, Tenn., in 1897	10,000 00
Jan. 20, Assembly Bill No. 339—Claim of California Demokrat Publishing Company	4,750 00
Jan 20, Assembly Bill No. 340—Claim of Clement Bennett	893 00
Jan. 20, Assembly Bill No. 304—To provide for the appointment of an auditing board to the Commissioner of Public Works, and making an appropriation therefor	300,000 00
Jan. 20, Assembly Bill No. 261—For an exhibit in the City of Guatemala in 1897	10,000 00
Jan. 21, Assembly Bill No. 154—Claim of George A. Sturtevant	314 72
Jan. 22, Assembly Bill No. 391—To make transfer from the General Fund to the Estates of Deceased Persons Fund	80,000 00
Jan 22, Assembly Bill No. 303—To purchase gasoline launch for Board of Fish Commissioners	1,500 00
Jan. 22, Assembly Bill No. 320—To pay experts and the costs and expenses of Southern Pacific Company vs. Railroad Commissioners law suit	30,000 00
Jan. 22, Assembly Bill No. 410—Coyote scalp claims	287,615 00
Jan. 22, Assembly Bill No. 62—Claim of Thomas Hatch	1,050 00
Jan. 22, Assembly Bill No. 305—Coyote scalp claims	287,000 00
Jan 22, Assembly Bill No. 118—Claim of the Evening Express Company	95 88
Jan. 22, Assembly Bill No. 296—Claim of Tribune Printing Company	295 85
Jan. 22, Assembly Bill No. 403—For constructing reservoir and maintaining a pipe line to the Marshall monument	1,500 00
Jan. 22, Assembly Bill No. 352—Appointing Clerk for State Janitor, and making appropriation for the remainder of the forty-eighth fiscal year	266 67
Jan. 22, Resolution by Mr. Dibble, to pay for articles purchased by Sergeant-at-Arms	206 54
Total appropriations referred to this committee	$1,551,024 87

During the same period they have had under consideration and reported back favorably the following bills:

Jan. 15, Assembly Bill No. 263—Appropriation, State Printing Office	$75,000 00
Jan. 20, Assembly Bill No. 114—To provide for publication of Blue Book; to be referred to proper committee. No appropriation.	

Jan. 20, Assembly Bill No. 185—To reduce expenses of State Government; to be referred to proper committee.	
Jan. 21, Assembly Bill No. 261—For exhibit in the City of Guatemala	$10,000 00
Jan. 22, Assembly Bill No. 208—Deficiency, Southern California Asylum	8,748 46
Jan. 22, Assembly Bill No. 209—Claim of R. J. Broughton	15 03
Jan. 22, Assembly Bill No. 210—Claim of W. C. Conroy	98 75
Jan. 22, Assembly Bill No. 212—Claim of Charles Phipps	175 00
Jan. 22, Assembly Bill No. 214—Deficiency incurred by calling out National Guard	54 75
Jan. 22, Assembly Bill No. 216—Deficiency, office Clerk Supreme Court	8 74
Jan. 22, Assembly Bill No. 217—Deficiency, traveling expenses State Board of Health	435 90
Jan. 22, Assembly Bill No. 218—Claim of Frank H. Lombard	627 10
Jan. 22, Assembly Bill No. 219—Deficiency, appropriation for forestry stations	899 37
Jan. 22, Assembly Bill No. 220—Deficiency, care of State Burial Grounds	8 99
Jan. 22, Assembly Bill No. 221—Claim of George A. Parker	300 00
Jan. 22, Assembly Bill No. 222—Claim of George A. Parker	100 00
Jan. 22, Assembly Bill No. 223—Claim of Edwin F. Ingles	300 00
Jan. 22, Assembly Bill No 226—Claim of William Macdonald	234 20
Jan. 22, Assembly Bill No. 227—Expense incurred for calling out National Guard	549 50
Jan. 22, Assembly Bill No. 228—Claim of Earl H. Daggett	300 00
Jan. 22, Assembly Bill No. 230—Claim of A. J. Bogard	300 00
Jan. 22, Assembly Bill No. 231—Claim of W. N. Hendricks	300 00
Jan. 22, Assembly Bill No. 235—Claim of Cassasa's First Regiment Band, for music furnished for the funerals of Generals Dimond and McComb	220 00
Total appropriations reported favorably	$98,675 79
They have also considered and reported back unfavorably:	
Jan. 14, Assembly Bill No. 43—For the erection of a California inaugural arch in the City of Washington	3,500 00
Total amount of bills reported back	$102,175 79
Leaving bills in the hands of the committee amounting to	$1,448,849 08

All bills reported to this committee are receiving very careful consideration, with a view of keeping the expenses of the government down to the lowest possible figure consistent with a successful administration. A sub-committee, consisting of the Chairman of this committee and Messrs. Leavitt and Sims, has been appointed to prepare the figures for the General Appropriation Bill, and this work will be pushed as rapidly as the necessary information can be obtained.

Respectfully submitted.

GUY, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 228—An Act making an appropriation to pay the claim of Earl H. Daggett, for the arrest of Daniel McCall for attempted highway robbery.

Also: Assembly Bill No. 230—An Act making an appropriation for the payment of the claim of A. J. Bogard, administrator of the estate of J. J. Bogard, deceased, for the arrest of Samuel McGuire for attempted highway robbery.

Also: Assembly Bill No. 231—An Act making an appropriation to pay the claim of W. N. Hendricks, for the arrest of John Keener for attempted highway robbery.

Also: Assembly Bill No. 235—An Act making an appropriation to pay the claim of Cassasa's First Regiment Band, for music furnished for the funerals of the late Generals Dimond and McComb

Also: Assembly Bill No. 221—An Act making an appropriation to pay the deficiency in the appropriation for the arrest and conviction of highway robbers, to pay the claim of George A. Parker for arrest and conviction of Ed Ward.

Also: Assembly Bill No. 222—An Act making an appropriation to pay the deficiency in the appropriation for the arrest and conviction of highway robbers, to pay the claim of George A. Parker.

Also: Assembly Bill No. 223—An Act making an appropriation to pay the claim of Edwin F. Ingles, for the arrest of F. J. Morgan for attempted highway robbery.

Also: Assembly Bill No. 226—An Act making an appropriation to pay the claim of Wm. Macdonald, for expenses incurred in the funeral of Governor Jones, of Nevada.

Also: Assembly Bill No 227—*An Act making an appropriation to pay the expenses* incurred by calling the National Guard of California into service, by order of the Governor, in 1894 and 1895.

Also: Assembly Bill No. 216—An Act making an appropriation to pay the deficiency in the appropriation for postage and contingent expenses of the Clerk of the Supreme Court for the forty-sixth fiscal year.

Also: Assembly Bill No. 217—An Act making an appropriation to pay the claims of the State Board of Health, for traveling expenses.

Also: Assembly Bill No 218—An Act making an appropriation to pay the deficiency in the appropriation for pay of stenographer for the State Board of Railroad Commissioners, for services rendered by Frank H Lombard.

Also. Assembly Bill No. 219—An Act making an appropriation to pay the deficiency in the appropriation for the forestry stations, for the forty-sixth fiscal year.

Also: Assembly Bill No. 220—An Act making an appropriation to pay the deficiency in the appropriation for care of State Burial Grounds, for services rendered by W. C. Farnsworth.

Also: Assembly Bill No. 208—An Act making an appropriation to pay the deficiency in the appropriation for support of Southern California Hospital for Insane and Inebriates, for the forty seventh-fiscal year.

Also: Assembly Bill No 209—An Act making an appropriation to pay the claim of R J. Broughton, for transportation of prisoners.

Also: Assembly Bill No. 210—An Act making an appropriation to pay the deficiency in the appropriation for transportation of prisoners, for payment of the claim of W. C. Conroy, in conveying children to Whittier.

Also: Assembly Bill No. 212—An Act making an appropriation to pay the claim of Charles Phipps, for services rendered as Assistant Secretary of the State Board of Examiners, from February 15, 1891, to March 21, 1891.

Also: Assembly Bill No. 214—An Act making an appropriation to pay the deficiency incurred by calling the National Guard of California into service, by order of the Governor, in 1894.

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

GUY, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.: Assembly Bill No. 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing bodies, and repealing conflicting Acts.

Also: Assembly Bill No. 412—An Act to amend Section 337 of the Code of Civil Procedure

Also: Assembly Bill No. 413—An Act to amend Chapter III, Title II, Part II, of the Code of Civil Procedure, by adding thereto a new section, to be numbered Section 335½.

Also: Assembly Bill No. 414—An Act to amend Section 339 of the Code of Civil Procedure.

Also: Assembly Bill No. 415—An Act to amend Section 383 of the Code of Civil Procedure

Also: Assembly Bill No. 416—An Act to amend Section 389 of the Code of Civil Procedure.

Also: Assembly Bill No. 418—An Act to amend Section 407 of the Code of Civil Procedure.

Also: Assembly Bill No. 419—An Act to amend Section 542 of the Code of Civil Procedure.

Also: Assembly Bill No 420—An Act to amend Section 581 of the Code of Civil Procedure.

Also: Assembly Bill No. 421—An Act to amend Section 632 of the Code of Civil Procedure.

Also: Assembly Bill No. 422—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be numbered 635.

Also: Assembly Bill No. 423—An Act to amend Section 658 of the Code of Civil Procedure.

Also: Assembly Bill No. 424—An Act to amend Section 659 of the Code of Civil Procedure

Also: Assembly Bill No. 425—An Act to amend Section 660 of the Code of Civil Procedure.

Also: Assembly Bill No. 426—An Act to amend Section 661 of the Code of Civil Procedure.

AUSTIN, Chairman.

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1897.

MR. SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred Assembly Bill No. 373—An Act to amend Section 237 of the Political Code of California, relating to the officers of temporary organization of the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that the author be granted leave to withdraw it.

Also: Assembly Bill No. 140—An Act to amend Sections 237, 245, 246, and 268 of an Act

entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature—have had the same under consideration, have amended the same, and recommend that it do pass as amended.

MELICK, Chairman.

INTRODUCTION OF BILLS.

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

By Mr. Price: Assembly Bill No. 504—An Act entitled an Act to amend Section 487 of the Penal Code of the State of California, making chicken-stealing grand larceny.

Referred to Committee on Agriculture.

Also: Assembly Bill No. 505—An Act to amend Section 752 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1893.

Referred to Committee on Municipal Corporations.

By Mr. Kelly: Assembly Bill No. 506—An Act to amend Section 330 of the Penal Code of the State of California, relative to gaming.

Referred to Committee on Agriculture.

By Mr. Canavan: Assembly Bill No. 507—An Act to designate a day to be called Arbor Day.

Referred to Committee on Agriculture.

By Mr. Shanahan: Assembly Bill No. 508—An Act to amend Section 170 of the Code of Civil Procedure.

Referred to Committee on Judiciary.

By Mr. Stansell: Assembly Bill No. 509—An Act to amend Section 170 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 23, 1893, relating to disqualifications of Judges.

Referred to Committee on Judiciary.

By Mr. Damon: Assembly Bill No. 510—An Act to improve Salt River, Humboldt County, from the junction thereof with Eel River to Port Kenyon, by removing therefrom bars and other obstructions to navigation, and to appropriate the sum of $10,000 for that purpose.

Referred to Committee on Public Works, State Capitol, and Parks.

By Mr. Burnett: Assembly Bill No. 511—An Act to amend Section 4046 of the Political Code, relating to the powers and duties of Boards of Supervisors.

Referred to Committee on County and Township Governments.

By Mr. Burnham: Assembly Bill No. 512—An Act to amend Sections 2292, 2293, 2294 of Chapter III, Title V, of the Political Code, relating to the State Library.

Referred to Committee on State Library.

By Mr. Strain: Assembly Bill No. 513—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor.

Referred to Committee on Public Works, State Capitol, and Parks.

By Mr. Power, of Placer: Assembly Bill No. 514—An Act to amend Section 1533 of the Political Code of the State of California, relative to public schools.

Referred to Committee on Education.

By Mr. Ennis: Assembly Bill No. 515—An Act to authorize the State Board of Prison Directors to perform such duties and erect such structures

as may be necessary to accommodate all prisoners committed to serve sentences in the State prisons, to abolish the State Prison at San Quentin, to transfer all convicts confined therein to the Folsom State Prison, and making an appropriation therefor.

Referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Keables: Assembly Bill No. 516—An Act to amend an Act entitled "An Act to authorize the Board of Supervisors or other governing authority of the several counties, cities and counties, cities, and towns of the State, to provide pensions or benefits for the relief of aged, infirm, or disabled firemen," approved March 11, 1889.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 517—An Act to amend paragraph 2, Section 200, of the Code of Civil Procedure of the State of California, relating to exempting exempt firemen from jury duty.

Referred to Committee on County and Township Governments.

By Mr. McClellan: Assembly Bill No. 518—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved May 24, 1893, by amending Section 87 thereof, relating to the custody of public moneys by the Treasurer.

Referred to Committee on County and Township Governments.

By Mr. Leavitt: Assembly Bill No. 519—An Act to amend Section 276 of the Code of Civil Procedure, relating to the examination of applicants for admission to practice law.

Referred to Committee on Judiciary.

By Mr. Goff: Assembly Bill No. 520—An Act to amend Section 4161 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to County Treasurer loaning public money or making general deposits.

Referred to Committee on County and Township Governments.

By Mr. Arnerich: Assembly Bill No. 521—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture as instructress and silk expert.

Referred to Committee on Agriculture.

By Mr. Cartwright: Assembly Bill No. 522—An Act to prohibit the making of contracts or the entry of judgment thereon in any particular or specific kind of money coined or issued by the United States.

Referred to Committee on Federal Relations.

By Mr. Price: Assembly Bill No. 523—An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution, to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act.

Referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 524—An Act to provide for the fencing of the farm property, the further equipment of the farm, and for the laying out and care of the grounds at the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 525—An Act to provide for the erection of a suitable storage reservoir, to lay mains with all necessary connections, and to provide power apparatus to make complete a new waterworks

system for fire emergency, storage, and motive purposes at the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 526—An Act to provide for the completion of the main building of the California Home for the Care and Training of Feeble-Minded Children by the erection of the east front thereto and thereof, to provide for necessary additions to the kitchen wing, and making an appropriation therefor.

Referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 527—An Act to provide additional buildings for the California Home for the Care and Training of Feeble-Minded Children, to equip the same for occupancy and use, to provide a system of electric lighting therein, and making an appropriation therefor.

Referred to Committee on State Hospitals and Asylums.

By Mr. Waymire: Assembly Bill No. 528—An Act to amend Section 465 of the Civil Code, relating to powers of railroads.

Referred to Committee on Corporations.

By Mr. Houghton: Assembly Bill No. 529—An Act to amend an Act entitled "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," approved March 26, 1895.

Referred to Committee on Municipal Corporations.

By Mr. Goff: Assembly Bill No. 530—An Act empowering the Board of Supervisors in each county of this State to correct any error made on the assessment of any property.

Referred to Committee on Judiciary.

By Mr. Bettman: Assembly Bill No. 531—An Act to establish a State Normal School in San Luis Obispo County, California, and making an appropriation of $100,000 therefor.

Referred to Committee on Public Buildings and Grounds.

CONCURRENT RESOLUTION.

By Mr. Mead:

ASSEMBLY CONCURRENT RESOLUTION No. 1.

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 fourth day of January, 1897, 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-second regular session of the Legislature of the State of California, commencing on the fourth day of January, A. D. 1897, 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-second 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" or "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.

Referred to Committee on Constitutional Amendments.

Mr. Dibble moved that the consideration of the report of the Committee on Rules, laid over until this morning, be passed until to-morrow morning.

So ordered.

SPECIAL FILE.

On motion of Mr. Valentine, the consideration of Assembly Constitutional Amendments Nos. 7, 8, 9, and 10 was made a special order for Tuesday morning, immediately after reading of the Journal.

APPOINTMENT BY SPEAKER.

The Speaker announced the appointment of Messrs. Harris, Malcolm, and Ryan as a committee to investigate the purchase of furniture, as provided for in the resolution introduced by Mr. Emmons.

RESOLUTION—(CASE OF URGENCY).

By Mr. Bettman:

Resolved, That Assembly Bill No. 261 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution declaring Assembly Bill No. 261 a case of urgency adopted by the following vote:

AYES—Messrs. Aldridge, Arnerich, Austin, Bettman, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Goff, Goodhue, Guy, Harris, Hill, Jones, Keables, Kelly, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McLaurin, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Ryan, Sanford, Shanahan, Soward, Strain, Toland, Treacy, Valentine, Vosburg, and Waymire—55.

NOES—Messrs. Boone, Bridgford, Houghton, Hudson, Keegan, Landsborough, McClellan, Rubell, and Mr. Speaker—9.

SECOND READING OF BILL.

Assembly Bill No. 261—An Act for the appointment of a commissioner to represent the State of California at the Central American Exhibition, to be held in the City of Guatemala on March 15, 1897, and to prescribe his powers and duties; and to authorize the appointment of a clerk; and to provide for the expenses of said commissioner and the compensation of said clerk, and for certain expenses of the California exhibit at said exhibition, and to appropriate money therefor.

Read second time.

Mr. Bettman moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bill No. 261.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 261 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 261—An Act for the appointment of a commissioner to represent the State of California at the Central American Exhibition, to be held in the City of Guatemala on March 15, 1897, and to prescribe his powers and duties; and to authorize the appointment of a clerk; and to provide for the expenses of said commissioner, and the compensation of said clerk, and for certain expenses of the California exhibit at said exhibition, and to appropriate money therefor—and now report favorably, and recommend that the same do pass.

COOMBS, Chairman.

THIRD READING OF BILL.

Mr. Bettman moved that Assembly Bill No. 261 be considered engrossed and read third time.

Assembly Bill No. 261—An Act for the appointment of a commissioner to represent the State of California at the Central American Exhibition, to be held in the City of Guatemala on March 15, 1897, and to prescribe his powers and duties; and to authorize the appointment of a clerk; and to provide for the expenses of said commissioner, and the compensation of said clerk, and for certain expenses of the California exhibit at said exhibition, 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 Aldridge, Arnerich, Belshaw, Bettman, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dryden, Elliott, Ennis, Fontana, Foreman, Goff, Goodhue, Guy, Harris, Henry, Hill, Jones, Keables, Kelly, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, North of Yolo, Pohlman, Power of San Francisco, Price, Robinson, Ryan, Sanford, Sims, Shanahan, Soward, Strain, Toland, Treacy, Valentine, Waymire, and Mr. Speaker—54.

NOES—Messrs. Boone, Houghton, Hudson, Keegan, Landsborough, McClellan, and Rubell—7.

Title read and approved.

Mr. Bettman moved that Assembly Bill No. 261 be immediately transmitted to the Senate.

So ordered.

LEAVE OF ABSENCE.

On motion of Mr. Leavitt, Chief Clerk Duckworth was granted leave of absence for the day.

RESOLUTION.

By Mr. Price:

Resolved, That the State Printer be and he is hereby directed to bind in volumes of two hundred bills each, all the Assembly and Senate bills introduced at this session, and that each and every member be provided with such bound volumes at the earliest date possible.

AMENDMENT.

Mr. Leavitt moved to amend the resolution to read as follows:

Resolved, That the State Printer be and he is hereby directed to bind in volumes of two hundred bills each, all the Assembly and Senate bills introduced at this session, except Assembly Bills 1 to 163, inclusive, which bills shall be bound in their present form;

Resolved, That each and every member be provided with such bound volumes at the earliest date possible.

Amendment accepted by Mr. Price.

Resolution adopted.

INTRODUCTION OF BILLS—(RESUMED).

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

By Mr. Boone: Assembly Bill No. 532—An Act to amend Section 173 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, relating to counties of the eleventh class.

Referred to Committee on County and Township Governments.

By Mr. Cutter: Assembly Bill No. 533—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-eighth fiscal year.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 534—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-seventh fiscal year.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 535—An Act making an appropriation to pay the deficiency in the appropriation for office rent of the Attorney-General in San Francisco for the forty-eighth fiscal year.

Referred to Committee on Ways and Means.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 26—An Act to amend Section 15 of an Act entitled an Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867," approved March 30, 1868.

Passed on file.

Assembly Bill No. 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing bodies, and repealing conflicting Acts.

Read third time.

Mr. Valentine moved that Assembly Bill No. 396 be referred to a committee of one to amend as follows:

Amend by striking out all after the word "bidder" in line 20, and all of lines 21 and 22, and insert in lieu thereof the following:

"And such advertisement must be published in such daily newspaper once a day for ten successive days, and if there be no daily newspapers published in such county, city and county, or city, then it shall be published in a weekly newspaper published in such county, city and county, or city."

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Valentine a committee of one to amend Assembly Bill No. 396.

REPORT OF COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1897.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing bodies, and repealing conflicting Acts—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

VALENTINE, Committee.

Adopted.

Assembly Bill No. 396 ordered to printer.

Assembly Bill No. 412—An Act to amend Section 337 of the Code of Civil Procedure.

Read third time.

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, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Goff, Goodhue, Guy, Harris, Hill, Houghton, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Melick, Mulcrevy, McClellan, McLaurin, Power of San Francisco, Robinson, Rubell, Ryan, Sims, Shanahan, Soward, Stansell, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—54.

NOES—None

Title read and approved.

Assembly Bill No. 413—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered Section 335½.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Boone, Bridgford, Burnett, Caminetti, Canavan, Cartwright, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Emmons, Ennis, Gately, Goff, Goodhue, Harris, Hill, Houghton, Jones, Keables, Kelly, Kenyon, Lacy, Landsborough, Mahoney, Melick, Mulcrevy, McClellan, McGrath, McLaurin, Pohlman, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—50.

NOES—Mr. Speaker—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Bridgford gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 413 was passed.

Assembly Bill No. 414—An Act to amend Section 339 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cutter, Dibble, Dolan, Elliott, Ennis, Gately, Goff, Goodhue, Guy, Houghton, Hudson, Jones, Keables, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McGrath, McLaurin, North of Yolo, Pohlman, Power of San Francisco, Robinson, Rubell, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—50.

NOES—Mr. Speaker—1.

Title read and approved.

RECESS.

At twelve o'clock and thirty minutes P. M., on motion of Mr. Mead, the Assembly took a recess until three o'clock P. M.

REASSEMBLED.

The Assembly reassembled at three o'clock and five minutes P. M.

Speaker Coombs in the chair.

Quorum present.

On motion of Mr. Kenyon, the Committee on Contested Elections were excused for remainder of the day.

RESOLUTIONS.

By Mr. Sims:

Resolved, That the State Printer print one hundred extra copies each of Bills Nos. 431, 432, 433, 434, 490, and 491.

Adopted.

By Mr. Dibble:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for two hundred and thirty-nine dollars and fifty-eight cents ($239 58), in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, from the Contingent Fund, to pay for telegrams to Washington, as per attached bills.

SACRAMENTO, CAL., January 11, 1897.

Sergeant-at-Arms Assembly (as per resolution January 11th making extra appropriation, $39 58) to Western Union Telegraph Co., Dr.

January 7—To nine telegrams to Washington: Hon. George C. Perkins and Stephen M. White, United States Senate; Hon John A. Barham, Hon Grove L. Johnson, Hon. S. G Hilborn, Hon. J. G. Maguire, Hon. E. F. Loud, Hon. James McLachlan, and Hon. W W. Bowers, House of Representatives $39 58

SACRAMENTO, CAL, January 7, 1897.

Sergeant-at-Arms Assembly (as per resolution January 7th, appropriating $200) to Western Union Telegraph Co., Dr.

January 7—To nine telegrams to Washington, at $26 62: Hon George C. Perkins and Stephen M. White, United States Senate; Hon John A Barham, Hon. Grove L. Johnson, Hon S. G. Hilborn, Hon. J. G. Maguire, Hon. E. F. Loud, Hon. James McLachlan, and Hon. W. W. Bowers, House of Representatives $200 00

SACRAMENTO, January 26, 1897.

State of California to W O. Banks, Sergeant-at-Arms of the Assembly:

January 7—To bill of Western Union Telegraph Co. for telegrams to Washington, as per resolution of January 7, 1897	$200 00
January 11—To bill of Western Union Telegraph Co. for telegrams to Washington, as per resolutions of January 11, 1897	39 58
	$239 58

Referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1897.

MR SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Assembly Bill No. 353—An Act to amend Section 1881 of the Code of Civil Procedure, relative to the examination of witnesses

Also: Assembly Bill No 355—An Act to amend Section 270 of the Code of Civil Procedure, relative to the qualifications and competency of phonographic reporters of the courts of this State.

Also: Assembly Bill No. 390—An Act to amend Section 2939 of the Civil Code, relating to the satisfaction of mortgages.

Also: Assembly Bill No. 428—An Act to amend Section 3806 of the Political Code, relating to the sale of property for payment of delinquent taxes, etc

Also: Assembly Bill No. 441—An Act to amend Sections 566 and 641 of the Code of Civil Procedure, in relation to receivers and referees.

Also: Assembly Bill No 442—An Act to amend Section 1727 of the Code of Civil Procedure, relating to Public Administrators

Also: Assembly Bill No 479—An Act to amend Section 681 of the Code of Civil Procedure, relating to executions.

Also: Assembly Bill No 481—An Act to amend Section 580 of the Code of Civil Procedure, relating to judgments

Also: Assembly Bill No 482—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, etc.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Judiciary.

DIBBLE, Chairman.

INTRODUCTION OF BILLS—(RESUMED).

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

By Mr. Belshaw: Assembly Bill No. 536—An Act to authorize the Board of Fish Commissioners to dispose of the hatchery located on Battle Creek in Tehama County, and expend the proceeds of the same.

Referred to Committee on Fish and Game.

By Mr. Robinson: Assembly Bill No. 537—An Act protecting the claims of those who may furnish materials or labor for the working or development of mining properties under powers which are obtained by bond or a trust deed.

Referred to Committee on Mines and Mining.

By Mr. Hill: Assembly Bill No. 538—An Act to amend Sections 2569, 2570, 2571, and 2572 of the Political Code of the State of California, and to add six new sections thereto, to be numbered 2573, 2574, 2574*a*, 2574*b*, 2574*c*, and 2574*d*, relating to the Board of Harbor Commissioners for the Port of Eureka, and making an appropriation therefor.

Referred to Committee on Commerce and Navigation.

By Mr. Mulcrevy: Assembly Bill No. 539—An Act to amend Section 487 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Referred to Committee on Crimes and Penalties.

By Mr. Gately: Assembly Bill No. 540—An Act prohibiting the use of barbed wire fence along public highways.

Referred to Committee on Roads and Highways.

By Mr. Clarke: Assembly Bill No 541—An Act to amend Sections 1663, 1771, 1772, 1775, and 1858 of the Political Code of California, relating to the public schools.

Referred to Committee on Education.

By Mr. Bettman: Assembly Bill No. 542—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 853 thereof, relating to absence of certain officers from the State.

Referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 543—An Act to amend Sections 2, 3, 9, and 20 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, and all Acts amendatory thereof and supplementary thereto.

Referred to Committee on Municipal Corporations.

JOINT RESOLUTION—(OUT OF ORDER).

By unanimous consent, the rules were suspended and Assembly Joint Resolution No. 19 taken up, out of order, and considered.

By Mr. Caminetti:

ASSEMBLY JOINT RESOLUTION No 19.

WHEREAS, There is now pending in the Congress of the United States a proposed law to create a Department of Mines and Mining, thereby entitling the industries connected therewith, involving investments of great magnitude and the development of vast resources, to representation in the Cabinet; therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators be instructed, and our Representatives in Congress requested, to use all honorable means to secure the enactment of such law.

Adopted.

Mr. Cutter moved that after the introduction of bills the remainder of the day be consumed in the first reading of bills.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1897.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 324—An Act to change the name of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California to Home for Adult Blind—have had the same under consideration, and respectfully report the same back, and recommend that the bill do pass.

WRIGHT, Chairman.

ON FRUIT AND VINE INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1897.

MR. SPEAKER: Your Committee on Fruit and Vine Interests, to whom was referred Assembly Bill No. 176—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote horticultural interests of the State,'" approved March 19, 1889.

Also: Assembly Bill No. 344—An Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State," approved March 19, 1889.

Also: Assembly Bill No. 404—An Act amendatory of an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote horticultural interests of the State, approved March 14, 1881,' approved March 19, 1889," approved March 31, 1891

Have had the same under consideration, and respectfully report the same back, and

recommend that they be withdrawn, as they have same provisions as Assembly Bill No. 252, reported favorably by the committee

Also: Assembly Bill No. 380—An Act to empower the legislative body of any incorporated city or town within the State of California to levy taxes and expend the same in eradicating fruit-tree pests in cities and towns having within their corporate limits two thousand acres or more of fruit trees—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 252—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote horticultural interests of the State,' approved March 19, 1889"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

ANDERSON, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 25, 1897.

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

Assembly Bill No. 10—An Act to amend Section 29 of 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.

Also: Adopted Senate Joint Resolution No. 11—Relative to requesting Congress to impose a tariff on foreign fresh table grapes competing with the American product.

F. J. BRANDON, Secretary.

Assembly Bill No. 10 ordered to enrollment.

SENATE JOINT RESOLUTION No. 11.

Relative to requesting Congress to impose a tariff on foreign fresh table grapes competing with the American product.

Resolved by the Senate, the Assembly concurring: WHEREAS, In the memorial to Congress adopted by the fruit-growers of California, in convention assembled at Sacramento, on the 2d day of December, 1896, a request that a tariff be imposed upon imports of fresh table grapes was overlooked and not intentionally omitted from the schedule adopted; and

WHEREAS, There are annually imported into the United States many millions of pounds of grapes that come in competition with those grown in this country; and

WHEREAS, The tariff law of 1890 (the McKinley law), whereby a specific duty of 2 cents per pound was imposed upon fresh table grapes, was amended in 1894 by making it an ad valorem tariff of 20%, equal to about 81 cents per 100 pounds; and

WHEREAS, It must be remembered in fixing the schedule for foreign grapes competing with ours that our principal markets lie about 3,000 miles away from our vineyards, and that the cost to California growers for transportation alone to New York and other Eastern markets is about 2½ cents per pound while, generally speaking, the cost of transportation on imported fruits is about 30 cents per 100 pounds, which, together with the import duty of 81 cents per 100 pounds, makes the total cost to the importer $1 11 per 100 pounds, while the California growers have to pay for transportation alone about $2 50 per 100 pounds, or about $1 40 more per 100 pounds than the importer, and as we believe the California producer should have at least 1 cent per pound clearly protective over the foreign producer, therefore, be it

Resolved, That the Congress of the United States be and is hereby requested to add to the 20% ad valorem tariff now imposed a specific tariff of 2½ cents per pound upon all fresh table-grape importations;

Resolved, That the same be printed and duly attested, and a copy forwarded to each Senator and Representative in Congress now serving, and to each Senator and Representative of the Congress to assemble after the 4th of March, 1897, and that the Senators and Representatives from California at the time serving as such be and they are hereby specially requested to give the subject of this resolution their most earnest attention and support, and to press the same upon the attention of the Ways and Means Committee of the House of Representatives and the Committee on Finance of the Senate.

Adopted.

MESSAGES FROM THE SENATE (RESUMED).

SENATE CHAMBER, SACRAMENTO, January 22, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 22d day of January passed the following:

Senate Bill No. 9—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to powers of the Boards of Trustees of certain cities.

Also: Senate Bill No. 177—An Act to amend Section 638 of the Civil Code of the State of California, relating to the interest to be charged and security to be taken by mutual building and loan associations.

Also: Senate Bill No. 107—An Act to require an inventory of State and county property, and directing that a record of the same be kept.

Also: Senate Joint Resolution No. 10—Relative to foreign immigration and proper restriction thereof.

F. J. BRANDON, Secretary.

Adopted.

Senate Bill No. 107 referred to Committee on County and Township Governments.

Also:

SENATE CHAMBER, SACRAMENTO, January 25, 1897.

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

Senate Bill No. 47—An Act to amend Section 61 of the Civil Code, relating to the granting of divorces.

Also: Senate Bill No. 112—An Act to amend Section 1137 of the Penal Code, relating to papers a jury may take when retiring.

Also: Senate Bill No. 113—An Act to amend Section 685 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: Senate Bill No. 115—An Act to amend Section 612 of the Code of Civil Procedure, relating to papers a jury may take when retiring.

F. J. BRANDON, Secretary of Senate.
By G. W. McINTYRE, Assistant Secretary.

Senate Bills Nos. 47, 112, 113, and 115 referred to Committee on Judiciary.

SUBSTITUTION OF BILL.

Mr. Waymire moved that Senate Bill No. 9 be substituted on file and read first time.

So ordered.

Senate Bill No. 9—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to powers of the Boards of Trustees of certain cities.

Read first time, and ordered on file for second reading.

INTRODUCTION OF BILL—(OUT OF ORDER).

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

By Mr. Cross: Assembly Bill No. 544—An Act to amend Sections 1895, 1897, 1898, 1900, 1912, 1913, 1918, 1919, 1924, 1936, 1945, 1962, 1965, 1966, 1970, 1974, 1976, 1981, 1982, 1984, 1986, 1990, 2006, 2007, 2018, 2022, 2076, 2084, 2094, 2099, and 2105 of the Political Code, and to repeal Section 2101 thereof, and to add two new sections thereto, to be known as Sections 2008 and 2009, all relating to the National Guard of California.

Referred to Committee on Military Affairs.

FIRST-READING FILE.

Assembly Bill No. 7—An Act to compel all depositaries of money and commercial banks to publish a sworn statement of all unclaimed deposits.

Read first time, and ordered on file for second reading.

Assembly Bill No. 283—An Act to change and permanently locate the boundary line between the counties of Butte and Yuba.

Read first time, and ordered on file for second reading.

Assembly Bill No. 306—An Act to provide for the management and operation of railroads above certain elevations.

Read first time, and ordered on file for second reading.

Assembly Bill No. 119—An Act authorizing certain corporations to loan and invest money, and regulating the same.

Read first time, and ordered on file for second reading.

Assembly Bill No. 8—An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors, and marines, in this State, who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889.

Read first time, and ordered on file for second reading.

Assembly Bill No. 254—An Act to amend Section 237 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 ordered on file for second reading.

Assembly Bill No. 286—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Read first time, and ordered on file for second reading.

Assembly Bill No. 45—An Act requiring every corporation doing business in this State to pay their employés, 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-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 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.

Read first time, and ordered on file for second reading.

Assembly Bill No. 316—An Act to provide for increasing the efficiency of fire departments within municipalities of the first class in the State of California.

Read first time, and ordered on file for second reading.

Assembly Bill No. 130—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891, relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance and corporations hereafter to be formed to conduct such insurance.

Read first time, and ordered on file for second reading.

Assembly Bill No. 123—An Act to amend Section 634 of the Political Code, in relation to insurance, approved April 1, 1878.

Read first time, and ordered on file for second reading.

At three o'clock and forty-five minutes P. M., the Speaker called Mr. Malcolm to the chair.

Assembly Bill No. 128—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 ordered on file for second reading.

Assembly Bill No. 124—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to powers of the Boards of Trustees of certain cities.

Read first time, and ordered on file for second reading.

Assembly Bill No. 127—An Act to regulate medical practice, to prevent blindness in infants.

Read first time, and ordered on file for second reading.

Assembly Bill No. 182—An Act to authorize any city or city and county of this State to take its census.

Read first time, and ordered on file for second reading.

Assembly Bill No. 89—An Act to amend an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895, by amending Sections 6 and 69 thereof, relating respectively to the appointment of a time for the election of an assignee and to costs in cases of involuntary insolvency.

Read first time, and ordered on file for second reading.

Assembly Bill No. 183—An Act to amend Section 690 of the Code of Civil Procedure, relating to exemptions from execution.

Read first time, and ordered on file for second reading.

Assembly Bill No. 190—An Act to amend Section 32 of an Act approved March 26, 1895, entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors."

Read first time, and ordered on file for second reading.

Assembly Bill No. 29—An Act entitled "An Act to amend Section 1192 of the Code of Civil Procedure."

Read first time, and ordered on file for second reading.

Assembly Bill No. 70—An Act to amend Section 105 of the Code of Civil Procedure of the State of California, relating to the powers of Justices of the Peace to call in other Justices of the Peace to act in their place and stead.

Read first time, and ordered on file for second reading.

Assembly Bill No. 71—An Act to amend Section 4428 of the Political Code of the State of California, relating to the powers of Judges of Police Courts to call in Justices of the Peace to act in their place and stead.

Read first time, and ordered on file for second reading.

Assembly Bill No. 253—An Act to increase the number of Judges of the Superior Court of the County of Santa Clara, and to provide for the appointment of an additional Judge.

Read first time, and ordered on file for second reading.

Assembly Bill No. 277—An Act to amend Section 3766 of the Political Code of the State of California, relating to the publication of the delinquent tax list.

Read first time, and ordered on file for second reading.

Assembly Bill No. 341—An Act relating to rights of way across mining claims.

Read first time, and ordered on file for second reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Guy:

WHEREAS, There are now pending before the Assembly several bills providing for additional appropriations for public institutions, and as the need for such appropriations must be determined by careful inspection; therefore, be it

Resolved, That two members of the Committee on Ways and Means be and they are hereby authorized to proceed to said institutions, for the purpose of inspection; that the Chairman of the Committee on Ways and Means appoint said two persons for the purpose aforesaid, and that said members be allowed their actual traveling expenses.

Referred to Committee on Commissions, Retrenchment, and Public Expenditures.

WITHDRAWAL OF BILLS.

Mr. Kenyon was granted, by unanimous consent, the privilege of withdrawing Assembly Bill No. 344.

Mr. Goff was granted, by unanimous consent, the privilege of withdrawing Assembly Bill No. 404.

SPECIAL ORDERS.

On motion of Mr. Chynoweth, Assembly Bill No. 254 was made a special order for to-morrow morning, immediately after reading of the Journal.

On motion of Mr. Soward, Assembly Bill No. 27 was made a special order for to-morrow morning, immediately after reading of the Journal.

On motion of Mr. McLaurin, Assembly Bill No. 253 was made a special order for to-morrow morning, immediately after reading of the Journal.

Mr. Anderson moved that the rules be suspended and the Assembly now consider Senate Joint Resolution No. 5.

Mr. Dibble moved to amend by making Senate Joint Resolution No. 5 a special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

RESOLUTION.

By Mr. Waymire:

Resolved, That the committee appointed to investigate the temporary organization of the Assembly be authorized to appoint one person to serve as Clerk and Sergeant-at-Arms, at a per diem of $5.

Adopted.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 26, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

APPROVAL OF JOURNAL.

The Journal of Friday, January 22d, was approved.

READING OF THE JOURNAL.

During the reading of the Journal of yesterday, Mr. Belshaw moved that the further reading be dispensed with.

So ordered.

LEAVE OF ABSENCE.

On motion of Mr. Leavitt, Chief Clerk Duckworth was granted leave of absence for the day.

SPECIAL ORDERS.

SENATE JOINT RESOLUTION No. 2.

Relative to the fruit industry.

Resolved by the Senate of the State of California, the Assembly concurring, That—

WHEREAS, The fruit-growers of California, in convention assembled, December second, eighteen hundred and ninety-six, at Sacramento, California, adopted a memorial to the Congress of the United States respecting the duties upon foreign fruits, expressive of the views of the convention and the fruit-growers of California; therefore, be it

Resolved, That the Legislature of California fully indorse the objects set forth in said memorial and approve the same, and hereby petition Congress to enact a tariff on fruits and fruit products as follows:

(1) *Olives*, green or prepared, which were not upon the dutiable list in the Act of eighteen hundred and ninety, and which by the Act of eighteen hundred and ninety-four were placed on the dutiable list with twenty per cent ad valorem duty, should be twenty cents per gallon The California plantings of this precious tree are increasing and should be encouraged.

(2) *Olive Oil* for salad was given a specific duty of thirty-five cents per gallon, both by the Act of eighteen hundred and ninety and by the Act of eighteen hundred and ninety-four The consumer gets this oil in bottles, about five of which make a gallon; it sells at seventy-five cents to one dollar per bottle The invoice price at which it is valued for duty is about one dollar and eight cents per gallon, or a duty of seven cents per bottle. This duty is too small; we therefore ask that it be not less than one dollar per gallon, and the same on all oils of which olive oil forms a part. In eighteen hundred and ninety-five we exported twenty-one million one hundred and eighty-seven thousand

seven hundred and twenty-eight gallons of cotton-seed oil. Much of this returned to America, after further treatment, labeled pure olive oil, greatly to the detriment of the pure oil made from the fruit grown in California. At present we must compete not only with pure olive oil, but also with cotton-seed oil and other substitutes

(3) *Raisins, Zante Currants, Sultanas,* and all other dried products of the grape should be given two and one-half cents per pound, the duty of eighteen hundred and ninety This industry has grown so rapidly that raisins have cheapened in the market far beyond expectations and to a point affording but little profit to the grower. The present duty of one and one-half cents per pound about covers cost of transportation to New York and Chicago. The foreign article comes in with very small freight charge. Our product should have at least one cent per pound clearly protective, and even this will not put our grower upon an equal footing with the foreign producer. The cost of transportation on imported fruits is about thirty cents per hundred pounds, while we pay one dollar and fifty cents per hundred pounds.

(4) *Almonds.* The price realized during the past two years has not been remunerative. It is one of the most delicate fruits, and more likely to suffer from frost than even the orange; it blooms early and is quite tender in the bloom and for some time after setting the fruit. There are many things to discourage its planting, and yet it is very desirable that we should continue its production, as, since we began its culture, we have produced many very desirable new varieties and have cheapened the price so that the consumer in recent years has indulged this luxury to a much greater extent than formerly. Notwithstanding we have grown the almond quite extensively, the importations have increased. The rate of duty does not seem to have affected the imports In eighteen hundred and ninety-two, when the duty was five cents, our imports were seven million six hundred and twenty-nine thousand three hundred and ninety-two pounds. In eighteen hundred and ninety-five, there were nearly eight million pounds. By the Act of eighteen hundred and eighty-three, and the Act of eighteen hundred and ninety, and the Mills bill, the rate was five cents The Wilson bill cut it down to three cents, which is too low. There was less revenue to the Government in eighteen hundred and ninety-five at three cents than formerly at five cents, and there was less protection We ask that the duty be made six cents per pound on unshelled and ten cents on shelled almonds.

(5) *Walnuts.* Walnuts are largely produced in the State. The acreage planted is greater than that of the almond, and it is a more profitable tree where soil and climate are favorable In the Acts of eighteen hundred and eighty-three and eighteen hundred and ninety and the Mills bill the same rates were imposed (except that by the Act of eighteen hundred and ninety the rate was properly increased on shelled walnuts from three to six cents per pound). The Wilson Act of eighteen hundred and ninety-four cut down the rate to two cents. It should be restored to the old rate of three cents on unshelled and six cents on shelled. It takes much longer to bring a walnut tree to bearing than the almond, and the area adapted to its production is much less.

(6) *The Prune Industry.* The duty by the Act of eighteen hundred and eighty-three was one cent per pound, and the same by the Mills bill. The Act of eighteen hundred and ninety increased it to two cents, but the Act of eighteen hundred and ninety-four reduced it to one and one half cents The present duty does not more than cover the cost of transportation to our markets, so that we practically enter with no advantage over the foreign producer. The duty should be two and one half cents per pound on prunes and plums. Since California has developed this industry, the prune has become a common article of food, greatly prized by the masses, and has been so cheapened in price that all classes may use it. So long as the foreign trade had the market the prune was a luxury. In eighteen hundred and ninety-three foreign prunes were laid down in New York City for four and four and one half cents per pound, duty paid of two cents, and we imported that year over twenty-six million pounds. During the past two seasons the foreign crop has been short, but still the price has not advanced materially. The fact that the foreign producer can sell for two and two and one half cents per pound, and pay commissions and freight charges out of this, will show how sharp is to be the competition when a good crop is produced abroad. Nothing short of two and one half cents per pound will afford any protection If the California prune-grower is forced to yield the trade to her foreign competitor and go out of the business of growing prunes, the foreign producer will inevitably raise his price, and the consumer will lose much more than by paying the small additional duty asked if he prefers the foreign article.

(7) *The Fig Industry* In eighteen hundred and eighty-three the duty was two cents per pound on figs, and two and one half cents by the Act of eighteen hundred and ninety. The Mills bill put them on the free list, and the Wilson Act placed the duty at one and one half cents Nothing could be more illogical than to put figs upon the free list, even under tariff for revenue only. Figs are not an article of necessity, and the consumption has not much increased in ten years This fruit is really most wholesome, and should be more widely consumed, and will be when our plantings are in full bearing. We recommend a duty of three cents per pound

(8) *Comfits, Sweetmeats, Preserved Fruits, etc.* Under the general heading above, all parties, and all laws, seem to have regarded the more costly preparations of fruit, such as glacé, candied and preserved varieties, as essential luxuries, and as such should pay a revenue The industry in California is developing and will find a wide and profitable field. The duty was thirty-five per cent ad valorem under former laws, and is thirty per cent by the Act of eighteen hundred and ninety-four. In the nature of these

products a specific duty seems not practicable, but a duty of forty per cent is none too large, and we recommend that rate.

(9) *Citrus Fruits—Oranges, Lemons, and Limes.* The citrus-fruit industry has, perhaps, contributed more to bring to the notice of the world the wonderful range of California's fruit products than all others combined. In point of acreage planted, rapidity of its development, capital invested, and relation to the Eastern fruit markets, it stands at the head of all our varieties. We have competitors, not only in the eastern, but also in the southern portion of the western hemisphere, and from the islands of the sea The orange and lemon have passed beyond the class of luxuries and have become a necessity to the American people, and are demanded and consumed in large quantities The competition with our lemons is very close and very unfair, because an inferior lemon is put upon the market at low prices, and seriously affects the price of good lemons. Mexico is preparing to enter into strong competition for our orange trade, and will this season send in over eight hundred carloads. Our present orange and lemon duty is not as protective as it should be, and is not as high as it should be to yield revenue. The rate under the Acts of eighteen hundred and eighty-three and eighteen hundred and ninety was thirteen cents per cubic foot on box of one and one quarter cubic feet, and twenty-five cents per box of two and one half feet, and fifty-five cents on box of five feet, and twenty per cent ad valorem on each additional cubic foot. Oranges run from one hundred and twenty-eight to two hundred and sixty to a box of one and three quarters cubic feet. The average number is about one hundred and sixty to a box, on which the McKinley bill placed a duty of about twelve cents per hundred, and the Wilson bill eight cents per hundred. We claim that this duty is so inadequate, as offering protection, that our country is flooded with grossly inferior fruit, and the business of producing good oranges discouraged. The same may be said of the duty of one dollar and fifty cents laid on one thousand oranges in bulk. It is not protective, nor is it sufficient for revenue We see no reason for these several classifications. The duty should be laid at a uniform rate per cubic foot, regardless of the size of the package, and should not be less than twenty cents per cubic foot, and when in bulk (which are always high-grade and large oranges), should bear not less than two dollars and fifty cents per thousand. We further recommend a specific duty of ten cents per pound on citric acid, and fifty cents per pound on essential oils of oranges and lemons.

WHEREAS, The orchards of California are proving to the country what her gold mines were in the fifties, with the advantage that they have come to stay, and are practically unlimited in possibilities; and

WHEREAS, Nature has decreed California to be the orchard of America, if not of the globe. Here are produced the fruits of every zone The whole country has the same interest in our success, or should have, that it has in the success and prosperity of other specially favored regions of our marvelous country—as in the South in her cotton and sugar and rice and tobacco, the great West in her corn and wheat, the Middle States in their iron and coal, the East in her manufactures. That we can produce in California every fruit known to the Mediterranean basin, and the hardier fruits of all other climes, should arouse the pride of all Americans, and challenge their friendly aid, and

WHEREAS, The more nearly the United States are enabled to produce all articles of human consumption, the more nearly we shall approach the ideal country for human habitation. We desire to furnish to the people of the United States fruits in abundance and at reasonable prices, such fruits especially as cannot be elsewhere grown in the United States. We ask only such legislation as will enable us to do this; therefore, be it

Resolved, That these resolutions be printed and duly attested, and a copy be forwarded to each member of the Ways and Means Committee of the House of Representatives, and to each present Senator and Representative in Congress, and to each Senator and Representative of the forthcoming Congress of America.

Adopted.

ASSEMBLY JOINT RESOLUTION No. 4.

By Mr. Canavan:

WHEREAS, A universally recognized republican form of government has been recently established over the Hawaiian Islands by the independent action of the inhabitants thereof; and

WHEREAS, It appears that said Government is founded upon such correct and advanced principles of humanity and wisdom as to insure its permanent stability, and it also appearing that a majority of the citizens of this Republic, many of whom control the administration of its affairs, are of the Caucasian race, being mainly of American origin; and

WHEREAS, It has become obvious, by reason of the numerous expressions of opinion of both citizens of Hawaii and those of the United States, that there exists a prevailing mutual sentiment among the people just mentioned in favor of the alliance of the Hawaiian Republic with the United States, either by means of the annexation of Hawaii to our country or by such other international agreement as will most properly serve to that end; and

WHEREAS, Owing to the geographical location of the Hawaiian Islands with relation to the United States; also, their extensive fertile territory and abundant natural resources, it certainly becomes an important question, in the light of expedience and

necessity, in furtherance of the improvement of the military defenses of our western coast, in addition to largely promoting our commercial interests, that decisive measures should be speedily adopted with a view toward effecting the substantial union of the Hawaiian Republic with the United States, and the establishment of a moral protectorate over that Republic by our country, in accordance with those doctrines of international law as enunciated by our late President, James Monroe, of illustrious memory, for the express purpose of excluding the possibility of the absorption of the Hawaiian Government by any foreign power;

And in view of the foregoing considerations: wherefore, be it

Resolved by the Assembly, and the Senate concurring, That our Representatives to Congress be and they are hereby requested and empowered to exercise special efforts in procuring such national action toward the accomplishment of the objects herein set forth as will be consistent with any other measures relative thereto, that may best meet the approval of the constituted authorities of both countries.

Adopted.

Assembly Joint Resolution No. 17—Relative to the struggle of the people of Cuba for a free and independent government.

Passed on file.

Assembly Bill No. 451—An Act to amend Sections 632 and 634 of the Penal Code of the State of California, relating to fish.

By unanimous consent, Mr. Cutter was allowed to withdraw the amendment pending.

AMENDMENTS.

By Mr. Shanahan:

Amend by striking out of Section 2, lines 6, 7, and 8, the words "Every person who between the fifteenth day of October and the fifteenth day of November each year takes or catches any salmon above tide water."

Lost.

Also: By striking out of Section 2, line 8, the words "above tide water."

Lost.

Also: By inserting the following in line 13, after the word "Sunday," and before the word "every": "*Provided*, It shall be lawful at any time to take salmon between sunrise of each Thursday and sunset of the following Friday."

Lost.

Also: By inserting after the word "Sacramento," in line 27, the following: "Also, all that part of the Sacramento River north of Battle Creek."

Lost.

PREVIOUS QUESTION.

Pending the consideration of Assembly Bill No. 451, the previous question was moved by Mr. Belshaw, seconded by Messrs. Wright and North.

So ordered.

The question being, "Shall Assembly Bill No. 451 be ordered to engrossment and third reading?"

So ordered.

Assembly Bill No. 452—An Act to repeal Sections 626*a*, 626*b*, 626*c*, 626*d*, 626*e*, 626*f*, 626*g*, 626*h*, 626*i*, 627*a*, 627*b*, 627*c*, and 627*d*, and to amend Sections 626 and 627 of the Penal Code of the State of California, relating to game.

AMENDMENTS.

Mr. Guy moved to amend by striking out of Section 1, line 4, the word "February" and inserting in lieu thereof the following: "January."

Lost.

Also: By striking out of Section 1, line 8, the word "February," and inserting in lieu thereof the following: "January."

Lost.

Mr. Dryden moved to amend by striking out of Section 626, line 6, the words " valley quail."

Lost.

Mr. Clarke moved to amend by striking out of Section 626, lines 33 and 34, the words "fifteenth day of October, and the fifteenth day of July of the following year," and inserting the following: "fifteenth day of November, and the fifteenth day of August of the following year."

Lost.

Mr. Burnett moved to amend by striking out of Section 1, line 8, the word " September," and insert "fifteenth of October."

Lost.

Mr. Sanford moved to amend by striking out of Section 626, line 4, the word "fifteenth," and inserting the following: "first."

Lost.

Mr. North, of Yolo, moved to amend Section 11, page 4, line 33, by inserting after the word "jail" the following: "in the county."

Adopted.

Also: By striking out of Section 11, page 4, lines 28–30, the words "Every person who, for the purpose of shooting any kind of wild game, conceals himself behind any living animal, is guilty of a misdemeanor."

Adopted.

Also: By striking out of Section 1, line 11, the words "first day of August," and inserting the following: "fifteenth day of July."

Adopted.

Mr. Waymire moved to amend Section 1, line 20, by inserting the following: After the words "English skylark," the words "meadow lark."

Lost.

Mr. Cross moved to amend by striking out of Section 1, line 6, the word "robin," and inserting the word "robin" after the word "skylark" in line 20.

Adopted.

Mr. Soward moved to amend Section 1, line 57, by adding the words:

And provided further, that the provisions of this section shall not apply to any place having an altitude of over three thousand feet.

Lost.

Assembly Bill No. 452 ordered to engrossment and third reading.

Mr. Anderson moved the adoption of Senate Joint Resolution No. 5.

SENATE JOINT RESOLUTION No. 5.

A resolution relative to dredging channel from San Pablo Bay to Mare Island.

WHEREAS, There is an open channel for all vessels of the United States Navy from San Pablo Bay up to Mare Island Straits which run between the United States Navy Yard, Mare Island, and the western shore of Solano County, State of California; and

WHEREAS, The United States Government considers it unsafe at present to allow vessels of such draft as the U. S. S. "Oregon" to be sent to Mare Island Navy Yard, on account of the shoaling of the channel of said straits; and

WHEREAS, A survey has been made and estimates submitted to the United States Government approximating the cost of dredging said channel, therefore, be it

Resolved by the Senate, the Assembly concurring, That our Senators in Congress be instructed, and our Representatives therein be requested and urged, to pursue such course as shall be necessary to secure an ample appropriation by the United States Government to carry on and complete the dredging of said channel;

Resolved, That a copy of these resolutions be forwarded to said Senators and Representatives in Congress by the Secretary of the Senate.

Adopted.

Assembly Bill No. 254—An Act to amend Section 237 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

COMMITTEE AMENDMENTS.

Strike out the words "one Assistant Journal Clerk" on line 15 of printed bill.

Adopted.

After the words "Minute Clerks," on line 33 of printed bill, add the words: "One Journal Clerk."

Adopted.

After the word "Assembly," in line 45 of printed bill, add the words:

None of said officers or employés shall receive compensation except for the time actually employed in the duties of their office; *provided*, that mileage shall not be allowed to any officer or employé except the Secretary of the Senate, the Clerk of the Assembly, the Minute Clerks, and Sergeants-at-Arms of each house.

Adopted.

AMENDMENTS.

Mr. North, of Alameda, moved to amend by striking out of Section 1, line 29, the word "shall," and inserting the following: "may."

Adopted.

At eleven o'clock and fifty-five minutes A. M., the Speaker called Mr. Dibble to the chair.

Mr. Shanahan moved to amend by striking out of Section 1 all after line 7.

Lost.

Mr. Mead moved to amend by striking out of Section 1, lines 8, 9, and 10, and insert in same place:

If permanent organization of the Senate has not been perfected on the third day of any session, the Secretary of the Senate may then appoint the following temporary officers and employés of the Senate.

Adopted.

Also: By striking out of Section 1, lines 28, 29, and 30, and inserting the following:

If permanent organization of the Assembly has not been perfected on the third day of any session, the Clerk of the Assembly may appoint the following temporary officers and employés of the Assembly.

Mr. Guy moved to amend by striking out of Section 1, line 9, the word "shall," and inserting in lieu thereof the following: "may."

Adopted.

Mr. Valentine moved to amend by striking out all after line 7, and inserting in lieu thereof the following:

And no other officers or attachés shall be elected or appointed for the temporary or permanent organization of the Senate or Assembly, except as provided in Sections 245 and 246 of the Political Code.

Pending the consideration of the amendment offered by Mr. Valentine, Mr. Treacy moved that Assembly Bill No. 254 be recommitted to the Committee on Attachés and Employés.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1897.

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 15 of an Act entitled an Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867," approved March 30, 1868

Also: Assembly Bill No. 417—An Act to amend Section 396 of the Code of Civil Procedure.

AUSTIN, Chairman.

At twelve o'clock and thirty minutes P. M., the time for adjournment was extended fifteen minutes.

Assembly Bill No. 26—An Act to amend Section 15 of an Act entitled an Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867," approved March 30, 1868.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Anderson, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Gately, Goodhue, Guy, Hill, Houghton, Hudson, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Melick, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of San Francisco, Robinson, Rubell, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Waymire, Wright, and Mr. Speaker—50.

NOES—None.

Mr. Soward moved to amend the title by adding the following words: "Approved March 12, 1885."

Adopted.

Assembly Bill No. 26 ordered to reëngrossment and third reading.

SECOND READING OF BILL.

Assembly Bill No. 253—An Act to increase the number of Judges of the Superior Court of the County of Santa Clara, and to provide for the appointment of an additional Judge.

Read second time, and ordered to engrossment and third reading.

REPORTS OF STANDING COMMITTEES.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom the Joint Rules were recommitted, beg leave to report and recommend the adoption of the Joint Rules as heretofore reported, and that the substitutes for Rules XIII and VI, submitted on January 22d, be withdrawn.

CHYNOWETH, Chairman.

Adopted.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1897.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 61—An Act amending Section 3245 of the Political Code—have had the same under consideration, and respectfully report the same back, and recommend that same do pass

DENNERY, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1897.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No 437—An Act making an appropriation to pay the claim of F. M. Millikan for publishing delinquent purchasers of State school lands—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be referred to Committee on Ways and Means.

BELSHAW, Chairman.

Assembly Bill No. 437 referred to Committee on Ways and Means.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1897.

MR. SPEAKER: Your Committee on State Hospitals and Asylums beg leave to report that in the discharge of their duties they visited the Asylums for Insane at Ukiah and Napa, where we were shown over the buildings and grounds, and found that everything was in perfect order.

We also visited the Home for Feeble-Minded at Glen Ellen and the Veterans' Home at Yountville, and find that these Homes are as well conducted as are the asylums at Ukiah and Napa.

We would ask for further time to consider the appropriation for the different asylums, as we think that in these times of business depression public institutions should receive only what is absolutely necessary to care for the inmates properly.

MALCOLM, Chairman

Adopted.

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1897.

MR. SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred the following:

WHEREAS, There are now pending before the Assembly several bills providing for additional appropriations for public institutions, and as the need for such appropriations must be determined by careful inspection; therefore, be it

Resolved, That two members of the Committee on Ways and Means be and they are hereby authorized to proceed to said institutions, for the purpose of inspection; that the Chairman of the Committee on Ways and Means appoint said two persons for the purpose aforesaid, and that said members be allowed their actual traveling expenses, to be accounted for to the Assembly by duly signed and receipted vouchers.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended.

MELICK, Chairman

Adopted.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1897

MR SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 72—An Act to keep open natural channels, not navigable, which run through agricultural land, and are subject to overflow, to the injury of the land, and the duty of Boards of Supervisors 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. 191—An Act to amend Section 3633 of the Political Code of the State of California, relating to the assessment of property of persons neglecting or refusing to make and give to the Assessor a statement of his property.

Also: Assembly Bill No. 398—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 9 of Section 164 thereof, relating to the compensation of the Coroner in counties of the second class

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

Also: Assembly Bill No. 78—An Act to amend the section referring to jurors' fees in "An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State," approved March 28, 1895—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by committee.

BURNHAM, Chairman.

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Assembly Bill No. 59—An Act to add two new sections to the Code of Civil Procedure, to be known as Sections 663 and 663½, relating to setting aside of a judgment of a Superior Court

Also: Assembly Bill No 348—An Act to amend Section 415 of the Political Code, providing for the purchase of Digests of the Decisions of the Supreme Court, and for their distribution.

Also: Assembly Bill No. 480—An Act to amend Section 671 of the Code of Civil Procedure, relating to judgment liens.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 205—An Act to amend Section 1214 of the Civil Code, relating to recording of conveyances.

Also: Assembly Bill No. 361—An Act entitled an Act to amend the Political Code by adding a new section requiring the State and subdivisions of the State to give preference to goods manufactured or produced in the State when contracting for or purchasing goods or other property.

Also: Assembly Bill No. 362—An Act entitled an Act to amend the Political Code by adding a new section prohibiting the imposing of a license upon any person soliciting orders for the sale of any articles manufactured or produced in this State, which under the laws of the United States cannot be legally imposed upon persons soliciting orders for the sale of like articles manufactured in any of the States of the United States.

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

Also: Assembly Bill No. 278—An Act to amend Section 1239 of the Penal Code, relative to the time for appeal from judgment.

Also: Assembly Bill No 429—An Act to amend Section 571 of the Civil Code, relating to savings and loan corporations

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

Also: Assembly Bill No 322—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to estates of deceased persons—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same

DIBBLE, Chairman.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1897.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No 133, introduced by Mr. Ennis—An Act authorizing the State Board of Prison Directors to purchase additional machinery for the rock-crushing plant 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.

CANAVAN, Chairman.

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Senate Bill No. 44—An Act to amend Section 1189 of the Civil Code, relating to acknowledgments of instruments—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Judiciary.

DIBBLE, Chairman

Adopted.

RE-REFERENCE OF BILL.

Senate Bill No. 44 re-referred to Committee on Judiciary.

REPORT OF SUB-COMMITTEE ON STATE HOSPITALS AND ASYLUMS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1897.

MR. SPEAKER: The Sub-Committee on State Hospitals and Asylums, appointed to investigate the needs of the hospitals and asylums at Ukiah, Glen Ellen, Yountville, and Napa, having visited these several places, now present account of expenses, as follows:

Sub-committee, consisting of Messrs. Malcolm, Sanford, Henry, Austin, and Keegan, for railroad fare and hotel bill, $96.

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of N. E. Malcolm, chairman of said committee. for the sum of $96, 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.

Referred to Committee on Mileage.

MOTIONS.

Mr. North moved that the rules be suspended and Assembly Bill No. 373 taken up out of order and read first time.

So ordered.

Assembly Bill No. 373 read first time.

Mr. Chynoweth moved to recommit Assembly Bill No. 373 to the Committee on Attachés and Employés.

Lost.

Mr. North moved to make Assembly Bill No. 373 a special order for Thursday, immediately after reading of the Journal.

So ordered.

Mr. Bridgford moved to reconsider the vote whereby Assembly Bill No. 413 was finally passed.

So ordered.

Mr. Bridgford moved that Assembly Bill No. 413 be re-referred to the Committee on Revision of Codes and Statutes.

So ordered.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 27, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

LEAVE OF ABSENCE.

Mr. Damon was granted a leave of absence for the day.

On motion of Mr. Dennery, Chief Clerk Duckworth was granted leave of absence for the day.

APPROVAL OF JOURNAL.

The Journal of Monday, January 25th, was approved.

RE-REFERENCE OF BILL.

On motion of Mr. Kelly, Assembly Bill No. 506 was re-referred to Committee on Crimes and Penalties.

SPECIAL ORDERS.

Assembly Joint Resolution No. 17—Relative to the struggle of the people of Cuba for a free and independent government. (Substitute for Assembly Joint Resolution No. 13.)

Passed temporarily on file.

Assembly Bill No. 26—An Act to amend Section 15 of an Act entitled an Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867," approved March 30, 1868.

Passed on file.

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1897.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 491—An Act to provide for the holding of a convention by the County Assessors of the State of California, at the State Capitol, and making an appropriation to defray the expenses thereof—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. 193—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 do pass as amended, and be referred to the Committee on Ways and Means.

BELSHAW, Chairman.

Assembly Bill No. 491 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 193 ordered re-referred to Committee on Ways and Means.

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes respectfully report the following original bill, and recommend that it do pass: An Act to amend Section 1209 of the Code of Civil Procedure.

DIBBLE, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Revision of Codes and Statutes: Assembly Bill No. 545—An Act to amend Section 1209 of the Code of Civil Procedure.

Read first time, and ordered on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1897

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 240—An Act making an appropriation to pay the deficiency in the appropriation to provide for the erection and operation of rock-crushing plants at the State Prisons, etc.

Also: Assembly Bill No. 243—An Act making an appropriation to pay the deficiency in the appropriation for payment of the expenses incurred in calling the National Guard of California into service, by order of the Governor, in 1894.

Also: Assembly Bill No. 249—An Act making an appropriation to pay the claim of Dennis Jordan, for balance due for work done on the State Prison at Folsom

Also: Assembly Bill No. 211—An Act making an appropriation to pay the deficiency in the appropriation for pay of salaries of agents or assistants, for traveling expenses, and for other contingent expenses of the Bureau of Labor Statistics, as authorized by Statutes of 1889, page 7.

Also: Assembly Bill No 215—An Act making an appropriation to pay the claims of C. E. Cunningham and W. C. Rodgers, for services as elevator attendants in the Capitol building.

Also: Assembly Bill No 236—An Act making an appropriation to pay the deficiency in the appropriation for traveling expenses of the Board of Railroad Commissioners

Also: Assembly Bill No. 237—An Act making an appropriation to pay the claim of W. J. Deater, for publishing notice and summons in foreclosing interest of delinquent purchasers of State school lands.

Also: Assembly Bill No 238—An Act making an appropriation to pay the claim of George A. Sturtevant, for costs of suits in foreclosing delinquent purchasers of State school lands.

Also: Assembly Bill No. 239—An Act making an appropriation to pay expenses incurred by the Commission for the Revision and Reform of the Law.

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

GUY, Chairman.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1897.

MR SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bills Nos. 359 and 360, have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 351—An Act to prevent persons from unlawfully using or wearing the insignia or rosette of the Military Order of the Loyal Legion of the United States—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CROSS, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1897

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.:

Assembly Bill No. 451 (Substitute for Assembly Bills Nos. 73 and 102)—An Act to amend Sections 632 and 634 of the Penal Code of the State of California, relating to fish.

Assembly Bill No. 253—An Act to increase the number of Judges of the Superior Court of the County of Santa Clara, and to provide for the appointment of an additional Judge.

AUSTIN, Chairman.

LEAVE OF ABSENCE.

Mr. Dryden was granted leave of absence for the day.

RESOLUTIONS.

By Mr. North, of Alameda:

Resolved, That hereafter one thousand copies of each Assembly bill introduced be printed, and that five hundred additional copies of all issues of bills now exhausted be ordered printed; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly be instructed to furnish the Sergeant-at-Arms of the Senate with the same number of Assembly bills as Senate bills are furnished him, and no more.

On motion of Mr. North, of Alameda, the rules were suspended and the resolution adopted.

At ten o'clock and forty minutes A. M., the Speaker called Mr. Emmons to the chair.

By Mr. Power, of Placer:

ASSEMBLY JOINT RESOLUTION No. 20.

WHEREAS, There is now pending in the Congress of the United States a proposed law to protect free labor, and the industries in which it is employed, from the injurious effect of convict competition by confining the sale of goods, wares, and merchandise manufactured by convict labor to the State or Territory in which they are produced, said bill having been introduced by Mr. Southwick, and being H. R. 6116; and

WHEREAS, The mechanics and manufacturers of this State are suffering from this unjust competition; therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators and Representatives in Congress be requested to use all honorable means to secure the enactment of such law.

Referred to Committee on Federal Relations.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 26, 1897.

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

Senate Bill No. 2—An Act providing for the destruction of municipal bonds of cities of the fifth class where the same have been executed and remain unsold.

Also: Senate Bill No. 60—An Act conferring power upon the governing body of cities of the first class to provide for the erection of a municipal hospital, and to levy a tax therefor.

Also: Senate Bill No 114—An Act to amend Section 1127 of the Penal Code, relating to charging the jury.

Also: On January 26, amended and passed Assembly Bill No. 263—An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 2—An Act providing for the destruction of municipal bonds of cities of the fifth class, where the same have been executed and remain unsold.

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

Senate Bill No. 60—An Act conferring power upon the governing body of cities of the first class to provide for the erection of a municipal hospital, and to levy a tax therefor.

Read first time, and referred to San Francisco Delegation.

Senate Bill No. 114—An Act to amend Section 1127 of the Penal Code, relating to charging the jury.

Read first time, and referred to San Francisco Delegation.

Assembly Bill No. 263—An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year.

Mr. Leavitt moved the adoption of the following Senate amendment:

Amend engrossed Assembly bill by striking from line 1, Section 1, the word "thirty" and inserting in lieu thereof the words "seventy-five."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 263 by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnett, Burnham, Caminetti, Canavan, Clarke, Cross, Dennery, Dibble, Ennis, Fontana, Godfrey, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Kelly, Kenyon, Landsborough, Leavitt, Lindenberger, Malcolm, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Ryan, Sims, Shanahan, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, and Wright—50.

NOES—Messrs. Boone, Bridgford, Cartwright, Elliott, Emmons, Houghton, Lacy, Mead, Melick, Rubell, Sanford, and Toland—12.

NOTICE OF RECONSIDERATION.

Mr. Caminetti gave notice that on next legislative day he would move to reconsider the vote whereby Senate amendment to Assembly Bill No. 263 was concurred in by the Assembly.

INTRODUCTION OF BILLS.

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

By Mr. Kelly: Assembly Bill No. 546—An Act requiring manufacturers to stamp upon their products or manufactured wares an indication of the kind of labor employed therein and the place of manufacture, and fixing a penalty for violation thereof.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 547—An Act to compel employers to furnish medical and surgical attendance to employés injured during working hours in mills, factories, shipyards, foundries, and other places where machinery is used.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 548—An Act to add a new section to the Penal Code, relative to the prohibition and prevention of the use of all acids or solution of acids in the manufacture of hermetically sealed tin cans used for canning purposes, to be known as Section 246.

Referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 549—An Act to create a State Board of Mediation and Arbitration, prescribe its powers and duties, and provide for the amicable adjustment of grievances and disputes that may arise between employers and employés.

Referred to Committee on Labor and Capital.

By Mr. Hudson: Assembly Bill No. 550—An Act to amend Section 1885 of the Political Code of the State of California, relating to form of bonds when payable.

Referred to Committee on Judiciary.

By Mr. Power, of Placer: Assembly Bill No. 551—An Act prescribing the manner of locating and relocating mining claims and mill sites upon the public domain of the United States, recording notices of

location thereof, amending defective locations, and providing for the deposit of district records with County Recorders.

Referred to Committee on Mines and Mining.

Also: Assembly Bill No. 552—An Act to amend Section 485 of the Civil Code of the State of California, relating to fencing the right of way of railroad corporations, and the liability for failing so to do.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 553—An Act to provide for the survey and construction of a wagon road from Tallac to McKinneys, along the shore of Lake Tahoe.

Referred to Committee on Roads and Highways.

By Mr. Dibble: Assembly Bill No. 554—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Referred to Committee on Military Affairs.

By Mr. North, of Alameda: Assembly Bill No. 555—An Act to amend Section 1241 of the Civil Code, relative to sales of homesteads under execution or by order or decree of court.

Referred to Committee on Homesteads and Land Monopoly.

Also: Assembly Bill No. 556—An Act to enable all counties, incorporated towns or cities, or municipalities, or consolidated cities and counties of the State to use patented automatic voting or ballot machines, and to use and provide for the use of the Lucas voting machine, so called, at all and any elections therein.

Referred to Committee on Election Laws.

Also: Assembly Bill No. 557--An Act to secure independence of voters in elections in the State of California, and for the secrecy of the ballot, and to provide for the use of automatic voting machines at elections in this State.

Referred to Committee on Election Laws.

Also: Assembly Bill No. 558—An Act to amend Section 688 of the Code of Civil Procedure of the State of California, relating to executions.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 559—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Referred to Committee on Judiciary.

By Mr. Emmons: Assembly Bill No. 560—An Act regulating the number of mining locations that might be made in any one mining district.

Referred to Committee on Mines and Mining.

Also: Assembly Bill No. 561—An Act to appropriate $7,082 to pay the claim of Francis Williams for services rendered the State of California as an Irrigation Commissioner.

Referred to Committee on Claims.

By Mr. Henry: Assembly Bill No. 562—An Act to authorize the State Board of Harbor Commissioners to establish and maintain a free public market upon the waterfront of San Francisco, and providing for the expenses and regulations thereof.

Referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 563—An Act to amend an Act entitled "An Act appropriating $40,000 for the purpose of the establishment and

management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California," approved March 5, 1885, and to prescribe the duties of the officers thereof, and of the State officers in reference thereto.

Referred to Committee on Ways and Means.

By Mr. Sims: Assembly Bill No. 564—An Act to provide for the construction of a State highway from Sacramento City to Folsom State Prison, and making an appropriation.

Referred to Committee on Roads and Highways.

By Mr. Cartwright: Assembly Bill No. 565—An Act to amend Section 199 of the Code of Civil Procedure, relating to the disqualifications of jurors, by adding a subdivision thereto, to be numbered subdivision 3.

Referred to Committee on Judiciary.

By Mr. Price: Assembly Bill No. 566—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Sections Nos. 343, 2429, 2430, 2431, 2440, 2441, 2457, 2458, 2460, 2461, 2462, 2463, 2464, 2466, 2470, and 2490, and repealing Sections Nos. 2443, 2444, 2445, 2446, and 2468, all relating to pilots, Pilot Commissioners, and pilotage.

Referred to Committee on Commerce and Navigation.

By Mr. Ennis: Assembly Bill No. 567—An Act to amend an Act entitled "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," approved March 27, 1895.

Referred to Committee on Ways and Means.

By Mr. Pohlman: Assembly Bill No. 568—An Act to provide for the construction and maintenance of a fire-boat for the protection of shipping.

Referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 569—An Act to add a new section to the Penal Code, to be designated as Section 354¾, making it a misdemeanor to deface, obliterate, cover up, or conceal the duly filed trademark or name of another, printed or otherwise attached to any cask, keg, bottle, vessel, siphon, can, or other package.

Referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 570—An Act to add a new section to the Penal Code, to be designated as Section 354½, making it a misdemeanor to fill, sell, buy, or otherwise dispose of, or traffic in any cask, keg, bottle, vessel, siphon, can, case, or other package bearing the duly filed trademark or name of another, printed, branded, stamped, engrossed, etched, blown, or otherwise attached or produced thereon.

Referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 571—An Act to amend Section 1524 of the Penal Code, relating to the issuing of search warrants.

Referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 572—An Act to amend Section 1536 of the Penal Code, relating to the disposition of property taken on a search warrant.

Referred to Committee on Crimes and Penalties.

By Mr. Belshaw: Assembly Bill No. 573—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 851 thereof, relative to the officers of municipal incorporations of the sixth class.

Referred to Committee on Municipal Corporations.

By Mr. Wright: Assembly Bill No. 574—An Act to amend an Act entitled "An Act to provide for analyzing the minerals, mineral waters, and other liquids, and the medicinal plants of the State of California, and of foods and drugs, to prevent the adulteration of the same," approved March 9, 1885, relating to the State Analyst, his powers and duties.

Referred to Committee on Ways and Means.

By Mr. Lacy: Assembly Bill No. 575—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.

Referred to Committee on Labor and Capital.

By Mr. McClellan: Assembly Bill No. 576—An Act to amend Section 647 of the Penal Code of California.

Referred to Committee on Crimes and Penalties.

By Mr. Treacy: Assembly Bill No. 577—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the western 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.

Referred to Committee on Commerce and Navigation.

By Mr. Cross: Assembly Bill No. 578—An Act to provide for the making of a certain map of the several counties of the State of California.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 579—An Act to authorize an acquisition, by donation or purchase, of two sites for camps of instruction and target practice for the National Guard of California, and to improve the same.

Referred to Committee on Military Affairs.

Also: Assembly Bill No. 580—An Act to provide that all Codes and Statutes furnished to the Legislatures shall at the close of the session of the Legislature be returned to the Secretary of State, to be kept by him for the use of succeeding Legislatures.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 581—An Act to amend Section 266 of the Political Code, relating to the compensation of members of the Legislature, and the mileage allowed to members thereof.

Referred to Committee on Judiciary.

By Mr. Hill: Assembly Bill No. 582—An Act making an appropriation for the purpose of dredging Humboldt Bay, and naming the commissioners who shall have charge thereof.

Referred to Committee on Ways and Means.

By Mr. Dolan: Assembly Bill No. 583—An Act amending Section 63 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Referred to Committee on County and Township Governments.

By Mr. Anderson: Assembly Bill No. 584—An Act to amend Section 5 of 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.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 585—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.

Referred to Committee on Commissions, Retrenchment, and Public Expenditures.

By Mr. Elliott: Assembly Bill No. 586—An Act to amend Section 574 of the Civil Code, relating to the ownership and disposition of property of savings and loan corporations.

Referred to Committee on Corporations.

By Mr. Cutter: Assembly Bill No. 587—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State.

Referred to Committee on County and Township Governments.

By Mr. Foreman: Assembly Bill No. 588—An Act to provide for receiving hospitals in cities of ten thousand population and over.

Referred to Committee on Municipal Corporations.

By Mr. Canavan: Assembly Bill No. 589—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 188, relating to county officers, their appointment, duties, and compensation.

Referred to Committee on County and Township Governments.

By Mr. Caminetti: Assembly Bill No. 590—An Act to amend Section 3493 of the Political Code of the State of California, relating to the dissolution of swamp-land or reclamation districts.

Referred to Committee on Swamp and Overflowed Lands and River Improvements.

Also: Assembly Bill No. 591—An Act to amend Section 3472 of the Political Code of the State of California, relating to the formation of swamp-land or reclamation districts.

Referred to Committee on Swamp and Overflowed Lands and River Improvements.

By Mr. Power, of San Francisco: Assembly Bill No. 592—An Act to create and administer a public school teachers' annuity retirement fund in cities of this State of the first, second, and third classes, having Boards of Education.

Referred to Committee on Judiciary.

By Mr. Malcolm: Assembly Bill No. 593—An Act to appropriate money for the support of orphans, abandoned children, foundlings, and other abandoned infants.

Referred to Committee on State Hospitals and Asylums.

By Mr. Treacy: Assembly Bill No. 594—An Act to reduce the rates of fares of street railroads within the corporate limits of municipal corporations of the first class, and to require the issuance of tickets, not exceeding sixty, at reduced rates, to any one person.

Referred to San Francisco Delegation.

By Mr. Ennis: Assembly Bill No. 595—An Act to provide for the construction and maintenance of thoroughfares, owned or to be acquired by the State of California, by the levy of a rate of taxation and the creation of a fund therefor.

Referred to Committee on Roads and Highways.

Also: Assembly Bill No. 596—An Act to classify the roads of the State of California, and to define each class.

Referred to Committee on Roads and Highways.

By Mr. Clarke: Assembly Bill No. 597—An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employés thereof, and to provide for the compensation of said officers and employés, and for the additional expenses of said department.

Referred to Committee on Roads and Highways.

By Mr. Keables: Assembly Bill No. 598—An Act to amend Section 1413 of the Code of Civil Procedure of the State of California, relating to the appointment of special administrators.

Referred to Committee on Judiciary.

By Mr. Sims: Assembly Bill No. 599—An Act to amend Section 269 of the Code of Civil Procedure, relating to phonographic reporters for Superior Courts, their appointments and duties.

Referred to Committee on Revision of Codes and Statutes.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 85—An Act to amend Section 832 of the Code of Civil Procedure, relating to place of trial of actions in Justices' Courts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 372—An Act to amend Sections 739 and 14 of the Political Code, relating to officers of the Supreme Court and their salaries.

Also: Assembly Bill No. 374—An Act to authorize boards of health of municipalities and counties of this State to issue subpœnas for witnesses, and to compel attendance of witnesses before such boards.

Also: Assembly Bill No. 484—An Act entitled "An Act to make the Police Court in counties, cities, and cities and counties having a population of two hundred thousand or more inhabitants a court of record."

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 amend Sections 739 and 769 of the Political Code, relating to the appointment of phonographic reporters by the Supreme Court—have had the same under consideration, and respectfully report the same back, and recommend that the author have leave to withdraw the same, a bill covering the same matter having already been acted upon.

Also: Assembly Bill No 55—An Act to amend Section 612 of the Code of Civil Procedure, relating to papers juries may take when retiring

Also: Assembly Bill No. 53—An Act to amend Section 1137 of the Penal Code, relating to papers juries may take when retiring.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 36—An Act to provide for, insure, and maintain preference in places of appointment or employment in the public service of honorably discharged Union soldiers, sailors, and marines of the War of the Rebellion—same having been referred to this Committee by the Committee on Military Affairs, on the question of constitutionality—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, as we consider the Act unconstitutional.

Also: Senate Bill No. 112—An Act to amend Section 1137 of the Penal Code, relating to papers a jury may take when retiring.

Also: Senate Bill No. 115—An Act to amend Section 612 of the Code of Civil Procedure, relating to papers a jury may take when retiring.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

WAYMIRE, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1897

MR SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 104—Entitled "An Act to amend an Act to amend an Act entitled 'An Act to create and organize the University of California,' approved March

23, 1868, approved March 28, 1872, amendatory to Section 25 thereof," relating to the construction of buildings—have had the same under consideration, and respectfully report the same back, and recommend that the bill do pass

Also: Assembly Bill No. 120—Entitled "An Act to provide additional support and maintenance and for the acquisition of necessary property and improvements for the University of California, by the levy of a rate of taxation and the creation of a fund therefor"—have had the same under consideration, and respectfully report the same back, and recommend that the bill do pass, and be referred to the Ways and Means Committee.

WRIGHT, Chairman.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1897.

MR. SPEAKER: Your committee, the San Francisco Delegation, to whom was referred Assembly Bill No. 427—An Act relating to hospitals for dipsomaniacs and morphine, opium, and alcohol inebriates, in municipalities of the first class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

MULCREVY, Chairman.

PETITIONS.

Mr. Soward presented petitions from citizens of Modoc, Lassen, and Sierra counties, asking the Legislature to pass Assembly Bill No. 31, asking for appropriation to aid county agricultural societies.

Mr. Belshaw moved that the reading be dispensed with, and the same printed in the Journal.

So ordered.

To the Honorable Legislature of the State of California.

Your petitioners, citizens of the County of Sierra, respectfully petition your honorable body to pass Assembly Bill No 31, making appropriation to aid agricultural societies. for the reason that most of the counties of this State are too far distant to attend the State Fair:

(Signed:) A. L Nichols, M. Pritchard. George Wood, A. J. Quigley, J. J. Olsen, J. J. Millar, R. R. McBride, N. N. Strang, H. E. Quigley, James Street, W. H. G. Wilcox, Thos. Lebroke, J. W. Peterson, J. McMellen, C. D. Johnson, F. Blinman, G. W. Perry, S. T. Burton, Marshall Dean, O. S. Freese, Walter Dolley, A. L Skaglund. W A Eckels, E. Cudius, C. A. Dernchia, P. H. Keefe, R. E. Dolley, H. O. Nichols, O. N. Webber, C. C. Ohn, J. N. Plan, R. G. Hamler, J. E. Hubbard, John Handey, J. H. Simes, R. C. Bryan, A. F. Swall, John B. Larine. H. W. Myers, Perry Corwin, Julius Johnson, Geo. L. Miller, Isaac Pittman, Fred Small, James Whitchie, J. W. Strang, Andrew Goering, J. D. Myres.

To the Honorable Legislature of the State of California:

We, the undersigned, residents of the Thirty-fourth Agricultural District of California, consisting of the counties of Lassen and Modoc, do most respectfully and most urgently petition your honorable bodies for the passage of an Act making liberal appropriations of money for the several district agricultural associations of the State:

(Signed:) Alexander & Knoch, merchants; Cohn Bros., merchants; M. Asher & Bro., merchants; Nathan & Schmidt, merchants, Sol. Nathan, merchant, F. H. Baugham, merchant; Emerson & Church, merchants; H. A. Meylesh, cashier Bank of Lassen County; E W. Hayden, editor Advocate; R. F Nordy, druggist; T. A. Oakes, furniture dealer; H. N. Skadan, liveryman, John B. Spaulding, druggist; D. C. Hyer, hotel proprietor; Frank P. Cady, Assessor Lassen County, T. N. Long, Supervisor District No. 1, Susanville: Hall & Snyder, millers; A. C. Hunsinger, butcher; Cain Bros., saloon proprietors; Edward L. Detrick, mechanic; R. Johnston, proprietor Johnston House, Susanville; Albert Anderson, farmer and mill business; William Brockman, farmer; William M. Cain, farmer; F. F. Kingsbury, proprietor Mountain House, Susanville; S C Price, farmer; Frank Thomas, farmer; W. U. Cuno, farmer; F. P. Blair, farmer; George Odett, farmer; George Dobyns, farmer; J. S. Church, Sheriff Lassen County; F. E. Kingsbury, Auditor and Recorder; W. S. Davis, farmer; Josiah Harold, miner; W B. Williams, farmer; G. B. Long, farmer; C. A. Odett, carpenter; J. F. Cooper, farmer; J. E. Pardu, lawyer, F. Meyer, farmer; A. E. Dozier, County Physician Lassen County; James I. Davis, laborer; James W. Bagnell, janitor court-house; Edward Froebel, harness-maker; T. H. Long, common laborer; C. S. McDiarmid, printer, Lassen Advocate; E. H. Talbott, proprietor Susanville-Amadee stage, T. A. Roseberry, notary public and convevancer; Lewis Mayer, miner; George Armstrong, farmer; J B. Kelley, farmer; N. H Heuber, painter; Patrick McQuillan, stone-mason; A. Buchler, farmer; William Wilson, miner; Vagletti Giacomo, miner; F. D. Hall, farmer; J. R. Cain, teamster; J. M. Tremain, editor and proprietor Lassen Mail; Jack Strauss, salesman; N. Metz, teamster; George Basil, contractor and builder; Frank Luond, gardener; Charles A. Forkner, County Treasurer Lassen County; N. J. Barry, District

Attorney Lassen County; E. Bigelow, blacksmith; John Hulsman, farmer; A. J. Long, farmer; James Pringle, contractor and builder; Samuel Johnson, contractor and painter; Isaac Metcalf, farmer; T. E. Ward, farmer; S. N. Harrison, contractor; Hiram Major, miner; James P. Garroutte, farmer; J. Lanigin, farmer, Zimmerman Bros, retailers, L. Woodstock, farmer; W. J. Segraves, stock-raiser; J. J. Desmond, farmer, Samuel Alexander, farmer; E. A. Martin, Deputy Sheriff Lassen County; A. H. Kime, Deputy Assessor Lassen County, R. V. Craig, road overseer; G. B. McMurphy, farmer; L. D. Neall, clerk; J. R. Dawson, farmer; Jesse Cole, Justice of the Peace; George Chase, farmer, George Carman, teamster, W. M. Boardman, attorney at law; Thomas Shirey, teamster; Firman Henry, farmer; A. A. Campbell, retailer; A. McKissick, farmer; Albert Malen, surveyor; Thomas Morris, farmer, F. H. Shanks, physician; A. E Torrey, farmer; E. E. Haley, proprietor Susanville and Oroville stage line; F. Gross, hotel proprietor; I. M. Doyle, County Superintendent of Schools; James Wylie, Receiver United States Land Office, Susanville, Frederick Hines, president Bank of Lassen County; L. D. Arnold, carpenter; F. J. Mattison, farmer; M L. Conklin, farmer, A. F. Arnold, orchardist, G. B. Long, stock-raiser; N. S. McKinney, postmaster, James W. McCartney, miner; W. H. Jenison, butcher; A C. Winslow, farmer; William G. Stearns, stock-raiser; Victor E. Perry, farmer; E. E. Smith, miner; W. H. Burrill, County Clerk Lassen County; R. J. Tremain, barber, J. Henry Voogt, farmer; W. U. Goodwin, attorney at law; John H. Marker, miner; J. W. Hasselkus, Coroner Lassen County; M. O. Hobson, rancher; Cliff Cramer, harness-maker; Thomas Goodfellow, laborer: N. J. Muns, stockman; John P. Gehring, harness-maker; T. W. Hughes, farmer; H. Lifford, gardener; George N. McDow, clerk; M. Marsteller, attorney at law; W. S. Brashear, farmer; Daniel Cramer, farmer; Jerome A. Gillman, stockman; Charles C. Neale, printer, W. J. Tremain, farmer; W B. Clark, farmer; T. L. Barham, farmer; I. Grass, jeweler; R. Bass, farmer; Booth Elledge, farmer, L. E. Richter, farmer; William Hoffman, farmer; A. A. Fitherington, farmer; Henry L. Hoglund, farmer; H. S. Borrette, physician; H. W. Bennett, barber, J. O Roberts, stock-raiser; D. F. Cramer, stock-raiser, H A. Dean, stockman, J. L. McDermott, farmer; Charles Rager, stock-raiser; Frederick A. Cain, farmer; B. H. Leavitt, farmer; Perry Stout, miner; L. H. Moore, saddler; Henry Didlot, stockman; Frank Johnston, farmer; P. H. Vogt, sawmill; Jesse Woolridge, farmer; E. A. Perkiss, farmer; I. N. Carlthurst, sheep-raiser; J. G. S. Lexington, teamster, Thomas Watson, farmer, C. Falding, mason; F. A. Kelley, Superior Judge, G. E. De Forrest, farmer; W. D. Minckler, surveyor.

RESOLUTION.

By Mr. Kenyon:

WHEREAS, The Speaker has declined to receive the papers from the Secretary of State in the contested election case of Lundquist vs. Dennery, as announced by him to the House.

Resolved, That the Judiciary Committee be instructed to inquire into and report to the House whether the House has jurisdiction in said case.

The rules were suspended and the resolution adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1897.

MR SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 136—An Act to amend the Political Code by creating a new section, entitled Section 626*j*.

Also: Assembly Bill No. 382—An Act to repeal Sections 628*a*, 630, 632*a*, 632*b*, 633, and to amend Sections 628, 635, and 636 of the Penal Code of the State of California, relating to fish.

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

Also: Assembly Bill No. 440—An Act for the protection of the Antwerp messenger, or homing pigeon—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by committee.

STRAIN, Chairman

MOTION.

Mr. Melick moved that Assistant Journal Clerk H. S. Adney be detailed for special work with Committee on Commissions, Retrenchment, and Public Expenditures.

So ordered.

RESOLUTION.

By Mr. Canavan:

Resolved, That the Chief Clerk be and he is hereby directed to immediately transmit by mail copies of Assembly Joint Resolution No. 4 to each of our Representatives in Congress.

On motion of Mr. Canavan, the rules were suspended and the resolution adopted.

SPECIAL ORDER.

ASSEMBLY JOINT RESOLUTION No. 17.

Substitute for Assembly Joint Resolution No. 13, relative to the struggle of the Cuban people for free and independent government.

Resolved by the Assembly and Senate of the State of California, That, while we extend our warmest sympathy to the Cubans in their heroic struggle for independence, we deem it inopportune at this time to offer advice to the Federal Government as to its treatment of a grave international question, but have full confidence that the National Administration will deal with it in a manner which will not only secure the desired end, but reflect honor and credit on the United States.

Mr. Burnett offered the following substitute for Assembly Joint Resolution No 17:

Resolved, That we extend our warmest sympathy to the Cubans in their heroic struggle for independence;

Resolved, That the time has long passed when this Government should have acknowledged the belligerent rights of Cuba;

Resolved, That the methods pursued by Spain in her efforts to subjugate Cuba—including wholesale murder of men, women, and children, and unchecked rapine—call for immediate intervention on the part of this Government.

Resolved, That the attitude of this Government toward Cuba, in view of the methods openly pursued by Spain, is reprehensible, indefensible, and a disgrace to a great nation like the United States;

Resolved, That we instruct our Senators and earnestly request our Representatives in Congress to work for the recognition of the independence of Cuba; also to advocate action on the part of this Government that will put a speedy stop to the inhuman butcheries and nameless crimes committed by the armies of Spain upon the unhappy people of Cuba.

Lost.

The question now recurring upon Assembly Joint Resolution No. 17. The same was adopted.

SPECIAL FILE.

Assembly Bill No. 227—An Act making an appropriation to pay the expenses incurred by calling the National Guard of California into service, by order of the Governor, in 1894 and 1895.

Read first time, and ordered on file for second reading.

Assembly Bill No. 216—An Act making an appropriation for postage and contingent expenses of the Clerk of the Supreme Court for the forty-sixth fiscal year.

Read first time, and ordered on file for second reading.

Assembly Bill No. 217—An Act making an appropriation to pay the claims of the State Board of Health, for traveling expenses.

Read first time, and ordered on file for second reading.

Assembly Bill No. 218—An Act making an appropriation to pay the deficiency in the appropriation for pay of stenographer for the State Board of Railroad Commissioners, for services rendered by Frank H. Lombard.

Read first time, and ordered on file for second reading.

Assembly Bill No 219—An Act making an appropriation to pay the

deficiency in the appropriation for the forestry stations for the forty-sixth fiscal year.

Read first time, and ordered on file for second reading.

Assembly Bill No. 220—An Act making an appropriation to pay the deficiency in the appropriation for care of State Burial Grounds, for services rendered by W. C. Farnsworth.

Read first time, and ordered on file for second reading.

Assembly Bill No. 208—An Act making an appropriation to pay the deficiency in the appropriation for support of Southern California Hospital for Insane and Inebriates, for the forty-seventh fiscal year.

Read first time, and ordered on file for second reading.

Assembly Bill No. 214—An Act making an appropriation to pay the deficiency incurred by calling the National Guard of California into service, by order of the Governor, in 1894.

Read first time, and ordered on file for second reading.

Assembly Bill No. 228—An Act making an appropriation to pay the claim of Earl H. Daggett, for the arrest of Daniel McCall for attempted highway robbery.

Read first time, and ordered on file for second reading.

Assembly Bill No. 230—An Act making an appropriation for the payment of the claim of A. J. Bogard, administrator of the estate of J. J. Bogard, deceased, for the arrest of Samuel McGuire for attempted highway robbery.

Read first time, and ordered on file for second reading.

Assembly Bill No. 231—An Act making an appropriation to pay the claim of W. N. Hendricks, for the arrest of John Keener for attempted highway robbery.

Read first time, and ordered on file for second reading.

Assembly Bill No. 235—An Act making an appropriation to pay the claim of Cassasa's First Regiment Band, for music furnished for the funerals of the late Generals Dimond and McComb.

Read first time, and ordered on file for second reading.

Assembly Bill No. 221—An Act making an appropriation to pay the deficiency in the appropriation for the arrest and conviction of highway robbers, to pay the claim of George A. Parker, for arrest and conviction of Ed Ward.

Read first time, and ordered on file for second reading.

Assembly Bill No. 222—An Act making an appropriation to pay the deficiency in the appropriation for the arrest and conviction of highway robbers, to pay the claim of George A. Parker.

Read first time, and ordered on file for second reading.

Assembly Bill No. 223—An Act making an appropriation to pay the claim of Edwin F. Ingles, for the arrest of F. J. Morgan for attempted highway robbery.

Read first time, and ordered on file for second reading.

Assembly Bill No. 226—An Act making an appropriation to pay the claim of Wm. Macdonald, for expenses incurred in the funeral of Governor Jones, of Nevada.

Read first time, and ordered on file for second reading.

Assembly Bill No. 209—An Act making an appropriation to pay the claim of R. J. Broughton, for transportation of prisoners.

Read first time, and ordered on file for second reading.

Assembly Bill No. 210—An Act making an appropriation to pay the

deficiency in the appropriation for transportation of prisoners, for payment of the claim of W. C. Conroy, in conveying children to Whittier.

Read first time, and ordered on file for second reading.

Assembly Bill No 212—An Act making an appropriation to pay the claim of Charles Phipps, for services rendered as Assistant Secretary of the State Board of Examiners, from February 15, 1891, to March 21, 1891.

Read first time, and ordered on file for second reading.

Mr. Belshaw was called to the chair.

THIRD-READING FILE.

Assembly Bill No. 415—An Act to amend Section 383 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 416—An Act to amend Section 389 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 417—An Act to amend Section 396 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 418—An Act to amend Section 407 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 419—An Act to amend Section 542 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 420—An Act to amend Section 581 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 421—An Act to amend Section 632 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 422—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered Section 635.

Passed on file.

Assembly Bill No. 423—An Act to amend Section 658 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 424—An Act to amend Section 659 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 425—An Act to amend Section 660 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 426—An Act to amend Section 661 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 451—An Act to amend Sections 632 and 634 of the Penal Code of the State of California, relating to fish.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Dennery, Dibble,

Dolan, Elliott, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Hill, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Pohlman, Robinson, Rubell, Ryan, Sanford, Sims, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—59.

NOES—Messrs. Houghton, Shanahan, and Soward—3.

Title read and approved.

Assembly Bill No. 452—An Act to repeal Sections 626*a*, 626*b*, 626*c*, 626*d*, 626*e*, 626*f*, 626*g*, 626*h*, 626*i*, 627*a*, 627*b*, 627*c*, and 627*d*, and to amend Sections 626 and 627 of the Penal Code of the State of California, relating to game.

Passed on file.

Assembly Bill No. 254—An Act to amend Section 237 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

Passed on file.

Assembly Bill No. 253—An Act to increase the number of Judges of the Superior Court of the County of Santa Clara, and to provide for the appointment of an additional Judge.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Clarke, Cross, Dennery, Dibble, Dolan, Elliott, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Rubell, Ryan, Stanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—67.

NOES—Mr. Houghton—1.

Title read and approved.

SECOND-READING FILE.

Assembly Bill No. 453—An Act to amend Sections 1 and 3 of an Act amendatory of an Act entitled "An Act for the better protection of the stockholders in corporations formed under the laws of the State of California for the purpose of carrying on and conducting the business of mining," approved March 30, 1874, approved April 23, 1880.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 454—An Act to amend Section 1 of an Act entitled "An Act for the further protection of stockholders in mining companies," approved April 23, 1880.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 455—An Act to amend the Code of Civil Procedure by adding thereto a new section, to be numbered Section 676, relating to conveyances under order of court.

Passed on file.

Assembly Bill No. 456—An Act to amend Section 691 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 457—An Act to amend the Code of Civil Procedure by adding thereto a new section, to be numbered Section 811, relating to dissolution of corporations.

Passed on file.

Assembly Bill No. 458—An Act to amend Section 868 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 459—An Act to amend Section 939 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 460—An Act to amend Section 943 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 461—An Act to amend Section 963 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 462—An Act to amend Section 977 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 463—An Act to amend Section 980 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 464—An Act to amend Section 1490 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 465—An Act to amend Section 1491 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 466—An Act to amend the Code of Civil Procedure by adding thereto a new section, to be numbered Section 1593, relating to the rights of executors and administrators to bid at foreclosure sales in certain cases.

Passed on file.

Assembly Bill No. 467—An Act to amend Section 1906 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 468—An Act to amend Section 1918 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 469—An Act to amend Section 1991 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 470—An Act to amend the Code of Civil Procedure by adding thereto two new sections, numbered, respectively, 2039 and 2040, relating to letters rogatory.

Passed on file.

Assembly Bill No. 332—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Passed on file.

Assembly Bill No. 22—An Act to amend Section 5 of 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," appproved February 27, 1893.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Subdivision *a*—Upon the application of the holder of any bond that is now or shall hereafter become delinquent as provided in this section, the said City Treasurer shall publish for two weeks in a newspaper of general circulation, to be designated by him, published in the city where his office is situated, a notice which must contain the date, number, and series of the delinquent bond, a description of the property mentioned in said bond, and the name of the owner of such property if known, and if unknown the fact shall be so stated, the amount due thereon, and a statement that unless the amount of said bond and the interest due thereon, together with the cost of publication of such notice, are paid, the real property described in said bond will be sold at public auction on a day to be therein fixed, which shall not be less than fifteen nor more than thirty days from the day of the first publication of said notice, and the place of such sale, which must be the office of the said City Treasurer

Adopted.

AMENDMENT No. 2.

Subdivision *d*—At any time prior to the sale, the owner or person in possession of any real estate offered for sale under the provisions of this Act may pay the whole amount of said bond then due, with costs, and such bond shall thereupon be canceled; but in case such payment is not made by such owner, or person in possession, or by some one in behalf of such owner, or person in possession, the property subject thereto shall be sold as hereinafter provided.

Adopted.

AMENDMENT No. 3.

Subdivision *h*—A redemption of the property sold may be made by the owner of the property, or any party in interest, within twelve months from the date of purchase, or at any time prior to the application for a deed, as hereinafter provided Redemption must be made in lawful money of the United States, and when made to the City Treasurer he must credit the amount paid to the person named in his certificate, and pay it, on demand, to him or his assignees.

Adopted.

AMENDMENT No. 4.

Subdivision *j*—If the property is not redeemed within the time allowed by subdivision *h* hereof for its redemption, the City Treasurer, or his successor in office, on application of the purchaser, or his assignee, must make to said purchaser, or his assignee, a deed to the property, reciting in the deed, substantially, the matter contained in the certificate, and that no person has redeemed the property during the time allowed for its redemption; the Treasurer shall be entitled to receive from the purchaser two dollars for making said deed, which shall be deposited in the city treasury for the use of the city after payment has been made therefrom for the acknowledgment of said deed, *provided, however*, that the purchaser of the property, or his assignee, must, thirty days prior to the expiration of the time of the redemption, or thirty days before his application for a deed, serve upon the owner or agent of the property purchased, if named in such certificate, and upon the party occupying the property, if the property is occupied, a written notice, stating that said property, or a portion thereof, has been sold to satisfy the bond lien, the date of sale, the date, number, and series of the bond, the amount then due, and the time when the right of redemption will expire, or when the purchaser will apply for a deed; and the owner of the property shall have the right of redemption indefinitely, until such notice shall have been given and said deed applied for, upon the payment of the fees, penalties, and costs in this Act required. In case of unoccupied property, a similar notice must be posted in a conspicuous place upon the property, at least thirty days before the expiration of the time for redemption, or thirty days before the purchaser applies for a deed, and no deed to the property sold in accordance with the provisions of this Act shall be issued by the City Treasurer to the purchaser of such property until such purchaser shall have filed with such Treasurer an affidavit showing that the notice hereinbefore required to be given has been given as herein required, which said affidavit shall be filed and preserved by the said Treasurer as other records kept by him in his office. Such purchaser shall be entitled to receive the sum of three dollars for his service of such notice and the making of said affidavit, which sum of three dollars shall be paid by redemptioner at the time and in the same manner as the other sums, costs, and fees are paid.

Adopted.

By unanimous consent, Mr. Caminetti was permitted to move to reconsider the vote whereby the Assembly concurred in Senate amendment to Assembly Bill No. 263.

MOTION.

Mr. Caminetti moved to reconsider the vote whereby the Assembly concurred in Senate amendment to Assembly Bill No. 263.

Lost.

Speaker Coombs resumed the chair.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1897.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 504—An Act entitled "An Act to amend Section 487 of the Penal Code of the State of California, making chicken-stealing grand larceny—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, with such amendments as are therewith attached.

PRICE, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 10—An Act to amend Section 29 of 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, relating to redemption of property sold for non-payment of assessments—and presented the same to the Governor on this day, at eleven o'clock and forty minutes A. M.

FONTANA, Chairman

Mr. Valentine spoke to a question of personal privilege.

The vote upon the motion of Mr. Caminetti to reconsider the vote whereby the Senate amendment to Assembly Bill No. 263 was concurred in was, by unanimous consent, resubmitted to the House.

PREVIOUS QUESTION.

Pending the consideration of the motion to reconsider, the previous question was moved by Mr. North, of Alameda, seconded by Messrs. Leavitt and Ennis.

The question being, "Shall the main question be now put?"

So ordered.

The question being upon the motion to reconsider.

The ayes and noes were demanded by Messrs. Caminetti, Bridgford, and Sanford.

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

AYES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Emmons, Gately, Godfrey, Houghton, Keegan, Lacy, Mead, Melick, McClellan, Rubell, Sanford, and Shanahan—20.

NOES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hudson, Jones, Keables, Kenyon, Landsborough, Leavitt, Lindenberger, Malcolm, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Ryan, Sims, Soward, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—48.

LEAVE OF ABSENCE.

On motion of Mr. Malcolm, Messrs. Wright, Ennis, Treacy, North of Yolo, Arnerich, Malcolm, Lindenberger, and Price were granted leave of absence until next Tuesday morning.

PETITIONS—(OUT OF ORDER).

The following petitions were submitted by Mr. Arnerich, and ordered printed in the Journal:

MEMORIALS FROM THE FRUIT-GROWERS OF CALIFORNIA.

To the Legislature of California:

GENTLEMEN: I beg to transmit herewith the following memorial from the fruit-growers of California, in convention assembled, December 3, 1896, as follows:

Your memorialists, the fruit-growers of California, in convention assembled in the State Capitol, respectfully represent that, after having duly considered the needs of the horticultural interests of the State, they resolved to petition the Legislature:

First—For $5,000 per annum, for the uses of the State Board of Horticulture, in prosecuting its work

Second—For $5,000 per annum, to be used by the State Board of Horticulture, in prosecuting the work of introducing parasitical insects from foreign countries.

Third—There are many investigations that should be made at once, and, if possible, remedies discovered, or the fruit-growers of the State will sustain great loss.

Respectfully submitted.

ELLWOOD COOPER, President.

Attest: B. M. LELONG, Secretary.

Referred to Committee on Ways and Means.

SACRAMENTO, CAL., January 27, 1897.

To the Legislature of California:

GENTLEMEN: I beg to transmit herewith for your consideration the following memorial adopted by the fruit-growers, in convention assembled, at Sacramento, November 8, 1895:

Governor Budd, in addressing the convention, said: "I hope in your discussions at this time you will consider what, if any, amendments ought to be made to the laws of this State for the advancement of the fruit industry. Believing that the fruit industry is the coming industry, I will coöperate with you and with the fruit-growers of the State. I ask your body, being better judges of the situation—better judges of the condition of the fruit-raisers of the State—to take up and discuss these subjects, in order that I may have the result of your combined wisdom in recommending a proper law to the Legislature for its enactment."

The subject was discussed and referred to a committee, who reported as follows:

Your committee on legislation respectfully submit the following report:

The laws in regard to the State Board of Horticulture, and the duties and powers of its officers, seem to us to need *no* change. The law covering the work of the quarantine officer has stood the test of the courts, and should, therefore, *not* be endangered by amendments, unless these be clearly of the highest value.

The funds of the State Board of Horticulture are derived from legislation. We are of opinion that legislation to secure sufficient funds to carry on the work of the board efficiently and economically should be granted. The work of this Board is of great advantage to the State in general, and especially to its valuable fruit interests, and to interests such as transportation, largely dependent on it. The opportunities its conventions offer to bring all those in the fruit business together, to act in harmony on great questions affecting their business, and to improve the methods of fruit production and fruit marketing, fully justify, in our opinion, reasonable support from the taxpayers. All sound movements in a free country come from and are supported by the voluntary acts of the people. We believe that the State Board of Horticulture and the fruit-growers' conventions are the outgrowth of popular needs, and that the permanent success of the valuable work done and to be done by the board must grow out of local interest. Local gatherings and local societies are indispensable for a reliable interest in the general meetings. We therefore recommend the State Board of Horticulture to encourage the continuance and activity of existing local societies, and the formation of new ones; so that every fruit section in this State shall have a growers' society in its midst. Reports, bulletins, and beneficial insects can be best distributed by local means of this kind.

Respectfully submitted.

(Signed:) ABBOTT KINNEY, A. D. PRYAL, B. F. WALTON, ALFRED HOLMAN, Committee.

Report received and adopted.

ELLWOOD COOPER, President.

Attest: B. M. LELONG, Secretary.

Referred to Committee on Ways and Means.

RESOLUTION.

By Mr. Dennery:

Resolved, That the Chairman of the Committee on Public Printing be instructed to inquire into the delay in the printing of the Standing Rules of the Assembly, and report to this House Thursday morning.

The rules were suspended, and the resolution adopted.

ADJOURNMENT.

At one o'clock and fifteen minutes P. M., on motion of Mr. Guy, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 28, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Mead, Melick, McClellan, McGrath, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

LEAVE OF ABSENCE.

Mr. Damon was granted leave of absence for the day.

Mr. McLaurin was granted leave of absence until Monday.

READING OF THE JOURNAL.

The reading of the Journal of yesterday was dispensed with.

APPROVAL OF JOURNAL.

The Journal of Tuesday, January 26th, was approved.

SPECIAL ORDERS.

Assembly Bill No. 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing bodies, and repealing conflicting Acts.

Passed on file.

Assembly Bill No. 373—An Act to amend Section 237 of the Political Code of California, relating to the officers of temporary organization of the Legislature.

Mr. North moved that Assembly Bill No. 140 be substituted for Assembly Bill No. 373.

So ordered.

Assembly Bill No. 140—An Act to amend Sections 237, 245, 246, and 268 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, upon motion of Mr. Belshaw, was made the special order immediately after reading of the Journal on Friday.

Assembly Bill No. 26—An Act to amend Section 15 of an Act entitled an Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867," approved March 30, 1868.

Passed on file.

QUESTION OF PRIVILEGE.

Mr. Dryden spoke to a question of personal privilege regarding Cuban resolutions.

By unanimous consent of the Assembly, and the order of the Speaker, Assembly Joint Resolution No. 17 was recalled from the Senate.

RE-REFERENCE OF BILLS.

On motion of Mr. McClellan, Assembly Bill No. 576 was re-referred to Committee on County and Township Governments.

On motion of Mr. Cartwright, Assembly Bill No. 565 was re-referred to Committee on County and Township Governments.

On motion of Mr. Cross, Assembly Bills Nos. 580 and 581 were ordered from Committee on Judiciary and re-referred to Committee on Commissions, Retrenchment, and Public Expenditures.

REPORTS OF STANDING COMMITTEES.

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1897.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 101—An Act to authorize the use of photography to detect and prevent fraudulent voting—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also: Assembly Bill No. 170—An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HART H. NORTH, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.:

Assembly Bill No. 453 (Substitute for Assembly Bill No. 28)—An Act to amend Sections 1 and 3 of an Act amendatory of an Act entitled "An Act for the better protection of the stockholders in corporations formed under the laws of the State of California for

the purpose of carrying on and conducting the business of mining," approved March 30, 1874; approved April 23, 1880.

Also: Assembly Bill No. 263—An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year.

AUSTIN, Chairman.

Ordered to Committee on Enrollment.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 257—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 186, relating to counties of the twenty-fourth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by committee.

BURNHAM, Chairman.

Mr. Dibble moved that the rules be suspended, and all bills reported from committees be read first time and ordered on second-reading file.

So ordered.

The question being, "Shall Assembly Bill No. 257 be read first time?"

So ordered.

Assembly Bill No. 257—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 186, relating to counties of the twenty-fourth class.

Read first time, and ordered on file for second reading.

The question being, "Shall Assembly Bill No. 101 be read first time?"

So ordered.

Assembly Bill No. 101—An Act to authorize the use of photography to detect and prevent fraudulent voting.

Read first time, and ordered on file for second reading.

The question being, "Shall Assembly Bill No. 170 be read first time?"

So ordered.

Assembly Bill No. 170—An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law.

Read first time, and ordered on file for second reading.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No 181—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 60, relating to county officers and their term of office.

Also: Assembly Bill No. 256—An Act to amend Section 60 of Chapter CCXXXIV of the Statutes of California, approved March 24, 1893, and entitled an Act to establish a uniform system of county and township governments.

Have had the same under consideration, and respectfully report the same back without recommendation.

BURNHAM, Chairman.

The question being, "Shall Assembly Bill No. 181 be read first time?"

So ordered.

Assembly Bill No. 181—An Act to amend Section 60 of Chapter CCXXXIV of the Statutes of California, approved March 24, 1893, and entitled an Act to establish a uniform system of county and township governments.

Read first time, and ordered on file for second reading.

The question being, "Shall Assembly Bill No. 256 be read first time?"

So ordered.

Assembly Bill No. 256—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 60, relating to county officers and their term of office.

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897.

MR. SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred Assembly Bill No. 114—An Act to provide for the publication of the State Blue Book, or Roster—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MELICK, Chairman.

The question being, "Shall the bill be read first time?"

So ordered.

Assembly Bill No. 114—An Act to provide for the publication of the State Blue Book, or Roster.

Read first time, and ordered on file for second reading.

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No. 275—An Act to add a new section to the Political Code, to be known and designated as Section 3466½, relating to the payment of invalid assessments in reclamation districts and the crediting of the amount paid to the tract or land upon which the same was assessed upon subsequent assessments—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

A. W. NORTH, Chairman.

The question being, "Shall Assembly Bill No. 275 be read first time?"

So ordered.

Assembly Bill No. 275—An Act to add a new section to the Political Code, to be known and designated as Section 3466½, relating to the payment of invalid assessments in reclamation districts, and the crediting of the amount paid to the tract or land upon which the same was assessed upon subsequent assessments.

Read first time, and ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 198—An Act to amend Section 383, Civil Code of the State of California, relative to the sale of a franchise to collect tolls—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. 188—An Act to amend subdivision 9 of Section 862 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 permitted to withdraw the same.

Also: Assembly Bill No. 476—An Act to amend Section 862 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. 495—An Act relative to the granting by municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles.

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

VALENTINE, Chairman.

On motion of Mr. Valentine, Assembly Bill No. 188 was permitted to be withdrawn by the author.

Assembly Bill No. 198 ordered re-referred to Committee on Judiciary.

The question being, "Shall Assembly Bill No. 476 be read first time?"

So ordered.

Assembly Bill No. 476—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and ordered on file for second reading.

The question being, "Shall Assembly Bill No. 495 be read first time?"

So ordered.

Assembly Bill No. 495—An Act relative to the granting by municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles.

Read first time, and ordered on file for second reading.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following, by Mr. Mahoney:

Resolved, That Lloyd Childs be and he is hereby appointed Assistant Bill Clerk, at a per diem of $5, payable out of the Contingent Fund of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that he be not employed.

Adopted.

Also: Assembly Bill No 254—An Act to amend Section 237 of an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to the officers and employés of the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that Assembly Bill No 140 be substituted for Assembly Bill No. 254, and that Assembly Bill No. 140 do pass.

VOSBURG, Chairman.

Adopted.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 494—An Act to prevent deception in the manufacture and sale of butter and 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.

PRICE, Chairman.

Referred to Committee on Ways and Means.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1897.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 86—An Act to amend Section 1197 of the Code of Civil Procedure, relating to independent rights of action in cases of liens.

Also: Assembly Bill No. 100—An Act providing for the election or appointment 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

Also: Assembly Bill No. 113—An Act to repeal Section 415 of the Political Code of California, relative to the translation of the laws into Spanish, and their distribution.

Also Assembly Bill No 273—An Act to amend Section 170 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualification of Judges, as amended by an Act approved March 23, 1893.

Also: Assembly Bill No. 482—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, and to appoint a secretary therefor, to assist said court in the performance of its duties and in the disposition of the numerous causes pending in said court, and to provide for the compensation of said commissioners and secretary, and to appropriate money therefor.

Also: Assembly Bill No 496—An Act to amend Section 1238 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 they do pass.

WAYMIRE, Chairman.

The question being, "Shall Assembly Bill No. 86 be read first time?"

So ordered.

Assembly Bill No. 86—An Act to amend Section 1197 of the Code of Civil Procedure, relating to independent rights of action in cases of liens.

Read first time, and ordered on file for second reading.

The question being, "Shall Assembly Bill No. 100 be read first time?"

So ordered.

Assembly Bill No. 100—An Act providing for the election or appointment 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 such Judges.

Read first time, and ordered on file for second reading.

The question being, "Shall Assembly Bill No. 113 be read first time?"

So ordered.

Assembly Bill No. 113—An Act to repeal Section 415 of the Political Code of California, relative to the translation of the laws into Spanish, and their distribution.

Read first time, and ordered on file for second reading.

The question being, "Shall Assembly Bill No. 273 be read first time?"

So ordered.

Assembly Bill No. 273—An Act to amend Section 170 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualification of Judges, as amended by an Act approved March 23, 1893.

Read first time, and ordered on file for second reading.

The question being, "Shall Assembly Bill No. 482 be read first time?"

So ordered.

Assembly Bill No 482—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, and to appoint a secretary therefor, to assist said court in the performance of its duties and in the disposition of the numerous causes pending in said court, and to provide for the compensation of said commissioners and secretary, and to appropriate money therefor.

Read first time, and ordered on file for second reading.

The question being, "Shall Assembly Bill No. 496 be read first time?"

So ordered.

Assembly Bill No. 496—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Read first time, and ordered on file for second reading.

ON JUDICIARY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 144—An Act to secure the payment of the claims of materialmen, mechanics, or laborers employed by contractors upon State, municipal, or other public work

Also. Assembly Bill No 141—An Act to regulate the profession and provide for the registration of public accountants.

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

Also: Assembly Bill No. 194—An Act to amend Section 1187 of the Code of Civil

Procedure, concerning the filing of mechanics' liens, by adding a provision requiring the owner of real property to give notice of completion of improvements thereon—have had the same under consideration, and respectfully report the same back, and recommend that it do pass; also, that committee bill herewith, in relation to same subject-matter, creating a new section, to be known as Section 1187½, do pass.

Also: Assembly Bill No. 297—An Act entitled "An Act to amend Section 3009 of the Political Code, relating to the appointment of officers and employés by the San Francisco Board of Health"—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Health and Quarantine.

WAYMIRE, Chairman.

The question being, "Shall Assembly Bill No. 144 be read first time?"

So ordered.

Assembly Bill No. 144—An Act to secure the payment of the claims of materialmen, mechanics, or laborers employed by contractors upon State, municipal, or other public work.

Read first time, and ordered on file for second reading.

The question being, "Shall Assembly Bill No. 141 be read first time?"

So ordered.

Assembly Bill No. 141—An Act to regulate the profession and provide for the registration of public accountants.

Read first time, and ordered on file for second reading.

The question being, "Shall Assembly Bill No. 194 be read first time?"

So ordered.

Assembly Bill No. 194—An Act to amend Section 1187 of the Code of Civil Procedure, concerning the filing of mechanics' liens, by adding a provision requiring the owner of real property to give notice of completion of improvements thereon.

Read first time, and ordered on file for second reading.

The question being, "Shall Assembly Bill No. 297 be read first time?"

So ordered.

Assembly Bill No. 297—An Act to amend Section 3009 of the Political Code, relating to the appointment of officers and employés of the San Francisco Board of Health.

Read first time, and ordered on file for second reading.

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes respectfully report the following original bills, and recommend that they do pass:

1. An Act to amend Section 105 of the Civil Code
2. An Act to amend Section 106 of the Civil Code
3. An Act to amend Section 268 of the Civil Code.
4. An Act to amend Section 291 of the Civil Code.
5. An Act to amend Section 293 of the Civil Code.
6. An Act to amend Section 536 of the Civil Code.

DIBBLE, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Committee on Judiciary: Assembly Bill No. 600—An Act to add a new section to the Code of Civil Procedure, to be known as Section 1187½, concerning the filing of liens by the executor or administrator of mechanics and others.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

By Committee on Revision of Codes and Statutes: Assembly Bill No. 601—An Act to amend Section 105 of the Civil Code.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 602—An Act to amend Section 106 of the Civil Code.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 603—An Act to amend Section 268 of the Civil Code.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 604—An Act to amend Section 291 of the Civil Code.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 605—An Act to amend Section 293 of the Civil Code.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 606—An Act to amend Section 536 of the Civil Code.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and placed on file for second reading.

Assembly Bill No. 297 ordered re-referred to Committee on Health and Quarantine.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 37—Have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same, and that the committee's substitute do pass.

ROBINSON, Chairman.

The question being, "Shall the committee substitute be substituted for Assembly Bill No. 37?"

So ordered.

Assembly Bill No. 607 (Committee Substitute for Assembly Bill No. 37)—An Act to amend Section 1670 of the Political Code of California.

The question being, "Shall the bill be read first time?"

So ordered.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 290—Have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

Assembly Bill No. 290 withdrawn by author.

Also: Assembly Bill No. 156—Have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Claims.

Referred to Committee on Claims.

Also: Assembly Bill No 308—Have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

ROBINSON, Chairman.

The question being, "Shall Assembly Bill No. 308 be read first time?" So ordered.

Assembly Bill No. 308—An Act to establish as public schools, technical schools endowed by private gifts coming within certain requirements, and to encourage such endowments.

Read first time, and ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1897.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 449—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885, and to add four new sections thereto, all relating to the State Board of Dental Examiners, and regulating the practice of dentistry in this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

KEABLES, Chairman.

The question being, "Shall Assembly Bill No. 449 be read first time?" So ordered.

Assembly Bill No. 449—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885, and to add four new sections thereto, all relating to the State Board of Dental Examiners, and regulating the practice of dentistry in this State.

Read first time, and ordered on file for second reading.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 27, 1897.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No 10.

JAMES H. BUDD, Governor.

INTRODUCTION OF BILLS.

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

By Mr. Dennery: Assembly Bill No. 608—An Act appropriating money to pay the expenses of preparing, forwarding, installing, maintaining, taking down, and returning an exhibit of the products of the State of California at the Trans-Mississippi and International Exposition, to be held in Omaha in 1898, and to provide for a commission and its expenses, a secretary of such commission, and the compensation of the secretary thereof.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 609—An Act to prevent deception in trade, and to prevent the giving of prizes by persons, firms, or corporations engaged in trade.

Referred to Committee on Corporations.

By Mr. Kelly: Assembly Bill No. 610—An Act to amend Section 1618 of the Code of Civil Procedure of California, relating to the salaries of Public Administrators.

Referred to Committee on Judiciary.

By Mr. Hill: Assembly Bill No. 611—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 numbered 3805½, relative to the revenue and taxation of this State.

Referred to Committee on Judiciary.

By Mr. Keables: Assembly Bill No. 612—An Act to provide for the construction of a free wagon road from Mono Lake Basin to connect with a road called "Tioga Road," at or near the Tioga Mine.

Referred to Committee on Roads and Highways.

By Mr. Emmons: Assembly Bill No. 613—An Act to provide a safe place of exhibit and study of the State mineral cabinet, museum, and specimens, and other articles and property of the State, to erect a building therefor, and make an appropriation therefor.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 614—An Act directing that public buildings shall be cleaned by contract.

Referred to Committee on Public Buildings and Grounds.

By Mr. Waymire: Assembly Constitutional Amendment No. 26—Proposed amendment to Section 1 of Article II of the Constitution, relative to the right of suffrage.

Referred to Committee on Constitutional Amendments.

By Mr. Sanford: Assembly Bill No. 615—An Act to pay the claim of A. J. Bourne against the State of California, and making an appropriation therefor.

Referred to Committee on Claims.

By Mr. Mead: Assembly Bill No. 616—An Act relating to the granting of new franchises and the renewal of existing franchises, and providing that upon the expiration thereof the corporate property, or property used in connection with the franchise, shall become the property of the county or municipality granting the franchise.

Referred to Committee on Corporations.

By Mr. McGrath: Assembly Bill No. 617—An Act to provide the manner in which plans and specifications for erection of any State or county building, or structure, shall be advertised for, accepted, or rejected.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 618—An Act to provide the manner in which plans and specifications for the erection or construction of any State, county, municipal, or other architectural or engineering structure shall be advertised for, accepted, or rejected.

Referred to Committee on Public Buildings and Grounds.

By Mr. Hill: Assembly Constitutional Amendment No. 27—To propose to the people of the State of California an amendment to Section 12 of Article XIII of the Constitution of the State of California, relative to the levy and collection of a poll tax.

Referred to Committee on Constitutional Amendments.

By Mr. Cutter: Assembly Bill No. 619—An Act to authorize and direct the State Board of Harbor Commissioners to establish and maintain a free public market upon the waterfront of San Francisco, and providing for the expenses and regulations thereof.

Referred to Committee on Commerce and Navigation.

By Mr. Dryden:

ASSEMBLY JOINT RESOLUTION No. 21.

WHEREAS, Proceedings have been instituted to foreclose the liens upon the Pacific Railroads under agreements for their purchase by private investors, thereby freeing said roads from any interference and control of the Government in the future; and

WHEREAS, The determined opposition to the funding scheme was based upon the unjust and oppressive burdens of taxation and rates of transportation which that scheme sought to fasten upon the people of the West for generations; and

WHEREAS, More than two hundred thousand citizens and voters of the State of California, together with thousands of others in the West, have unqualifiedly declared in favor of the ownership and control of said roads by the General Government; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring herein, That our Senators in Congress be instructed and our Representatives therein be requested and urged to use all honorable means in their power to secure the adoption of such legislation as will result in authorizing and empowering the Government, upon any foreclosure sale of said property, to bid in, own, and operate the same as a national enterprise;

Resolved, further, That the Chief Clerk of this Assembly transmit to each Senator and Representative now in Congress from this State, and to those who will represent it in the next session of Congress, a copy of these resolutions.

Referred to Committee on Corporations.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 27, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following substitute for Senate Bill No. 17—An Act to amend 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.

Also: Senate Bill No. 155—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. 116—An Act to amend Section 398 of the Code of Civil Procedure, relating to a change of place of trial.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

The substitute for Senate Bill No. 17 read first time, and referred to Committee on Judiciary.

Senate Bill No. 155 read first time, and referred to Committee on Judiciary.

Senate Bill No. 116 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, January 27, 1897.

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

Senate Bill No. 67—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 1703½, concerning the distribution of estate and discharge of executors and administrators.

Also. Senate Bill No 14—An Act to validate the organization and incorporation of municipal corporations.

Also: Senate Bill No. 135—An Act to prohibit the adulteration of honey, and to provide a punishment therefor.

Also: Senate Bill No. 138—An Act appropriating money to pay the expenses of collecting, preparing, forwarding, installing and maintaining, taking down and returning, an exhibit of the products of the State of California at the Tennessee Centennial Exposition, to be held in Nashville in 1897, and to provide for a commission, secretary of commission, and for the pay of the secretary thereof.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 67 read first time, and referred to Committee on Judiciary.

Senate Bill No. 14 read first time, and referred to Committee on Judiciary.

Senate Bill No. 135 read first time, and referred to Committee on Agriculture.

Senate Bill No. 138 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, January 27, 1897.

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

Assembly Bill No. 261—An Act for the appointment of a commissioner to represent the State of California at the Central American Exhibition, to be held in the City of Guatemala on March 15, 1897, and to prescribe his powers and duties; and to authorize the appointment of a clerk; and to provide for the expenses of said commissioner, and the compensation of said clerk, and for certain expenses of the California exhibit at said exhibition, and to appropriate money therefor.

F J BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Assembly Bill No. 261 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 27, 1897

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following. Senate Bill No. 24—An Act fixing the minimum rate of compensation for labor on public works.

Also: Senate Bill No. 122—An Act to add two new sections to the Code of Civil Procedure, said sections to be designated as Sections 663 and 663½, respectively, providing for the setting aside of a judgment of a Superior Court and the rendition of a new judgment without a new trial.

Also: Senate Bill No. 120—An Act to legalize certain acknowledgments

Also: Senate Bill No. 55—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: Senate Bill No. 266—An Act making an appropriation to pay the expenses of Electors of President and Vice-President of the United States of America.

F. J. BRANDON, Secretary
By G. W. McINTYRE, Assistant.

Senate Bill No. 24 read first time, and refered to Committee on Labor and Capital.

Senate Bill No. 122 read first time, and referred to Committee on Judiciary.

Senate Bill No. 120 read first time, and referred to Committee on Judiciary.

Senate Bill No. 55 read first time, and referred to Committee on Agriculture.

Senate Bill No. 266 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, January 28, 1897

MR. SPEAKER: I am directed to inform your honorable body that the Senate this day returns, as requested, Assembly Joint Resolution No 17—Relative to the struggle of the Cuban people for a free and independent government.

F. J. BRANDON, Secretary.

Mr. Dibble moved that the rules be suspended, and that the Assembly do now reconsider the vote whereby Assembly Joint Resolution No. 17 was adopted.

So ordered.

Mr. Dibble moved that the consideration of Assembly Joint Resolution No. 17 be made a special order for to-morrow morning, immediately after reading of the Journal.

WITHDRAWAL OF BILLS.

Mr. Canavan asked unanimous consent to withdraw Assembly Bill No. 507.

So ordered.

Mr. Godfrey asked unanimous consent to withdraw Assembly Bill No. 184.

So ordered.

RESOLUTION.

By Mr. Sanford:

Resolved, That the State Board of Equalization be and it is hereby requested to furnish the Assembly with the following information:

First—The amount of increase, or decrease, made by said board in the assessment roll of the several counties since and including the year 1880, together with the list of counties affected thereby, the date thereof, and reason for such action;

Second—The total assessment for the State for each year during the same period, and what instructions, if any, concerning the assessment of property, have been given County Assessors during said period, date of same, and nature thereof;

Third—The total amount of mileage and assessment of each railroad situated in more than one county, for same period, and amount of assessment on each of such railroads levied by said board during same period;

Resolved, That the Chief Clerk transmit a copy of this resolution to said board immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 482 ordered referred to Committee on Ways and Means.

Assembly Bill No. 308 ordered referred to Committee on Judiciary.

Assembly Bills Nos. 569, 570, 571, and 572 ordered re-referred to Committee on Judiciary.

MOTION.

By Mr. McClellan:

That the Sergeant-at-Arms be instructed to post in conspicuous places, in the rear of the Assembly Chamber, three notices, to this effect: That visitors are requested not to use the seats or desks of members without invitation from the members.

Referred to Committee on Rules.

SPECIAL FILE.

Assembly Bill No. 227—An Act making an appropriation to pay the expenses incurred by calling the National Guard of California into service, by order of the Governor, in 1894 and 1895.

Read second time.

Mr. Guy moved that the Assembly resolve itself into Committee of the Whole, for the purpose of considering Assembly Bill No. 227.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 227 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 227—An Act making an appropriation to pay the expenses incurred by calling the National Guard of California into service, by order of the Governor, in 1894 and 1895—and now report favorably, and recommend that the same do pass.

COOMBS, Chairman.

Assembly Bill No. 227 ordered to engrossment and third reading.

THIRD-READING FILE.

Mr. Dibble moved that the following bills on the third-reading file be passed: Assembly Bills Nos. 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, and 428.

So ordered.

Assembly Bill No. 453—An Act to amend Sections 1 and 3 of an Act amendatory of an Act entitled "An Act for the better protection of the stockholders in corporations, formed under the laws of the State of California, for the purpose of carrying on and conducting the business of mining," approved March 30, 1874; approved April 23, 1880.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cutter, Dennery, Dolan, Dryden, Emmons, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Kenyon, Mahoney, Mead, Melick, McClellan, McGrath, North of Alameda, Pohlman, Power of Placer, Robinson, Rubell, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—55.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Leavitt:

Resolved, That Rule XLVI of this House be amended to read as follows:

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; *provided*, that when the previous question is called on a pending amendment it shall refer only to the amendment.

Referred to Committee on Rules.

SECOND-READING FILE.

Assembly Bill No. 454—An Act to amend Section 1 of an Act entitled "An Act for the further protection of stockholders in mining companies," approved April 23, 1880.

Read second time.

The following committee amendments were submitted by Mr. Fontana:

AMENDMENT No 1.

Amend by striking out of Section 1, line 10, the words "a majority," and inserting the following: "six-tenths of the."

Adopted.

AMENDMENT No. 2.

Also, insert the following: "Section 2," immediately preceding the word "this" on last printed line on page 2, printed bill.

Adopted.

Assembly Bill No. 454 ordered to engrossment and third reading.

Mr. Dibble moved that the following Assembly Bills on second-reading file be passed: Nos. 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, and 332.

So ordered.

Assembly Bill No. 21—An Act entitled "An Act to amend Section 1 of an Act entitled 'An Act to provide for the disincorporation of municipal corporations of the sixth class,'" approved March 26, 1895.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 11—An Act to amend Sections 8 and 49 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 March 26, 1895.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 12—An Act to amend Section 312 of the Code of Civil Procedure of the State of California, relating to the time of commencing actions.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 41—An Act to amend Section 1469 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 estates of deceased persons, where the value of the whole estate does not exceed the sum of $1,500.

Read second time, and ordered to engrossment and third reading.

At twelve o'clock and fifteen minutes P. M., the Speaker called Mr. Guy to the chair.

Assembly Bill No. 46—An Act regulating the hours of labor in sawmills, shingle-mills, shakemills, and logging camps.

Assembly Bill No. 46 ordered recommitted to Committee on Labor and Capital.

Assembly Bill No. 80—An Act to provide for the employment of citizens of the United States upon public works within this State.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 49—An Act to provide for a lunch hour for employés.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 48—An Act to provide for the employment of citizens of the United States upon public works within this State.

The author of Assembly Bill No. 48 was granted unanimous consent to withdraw the same.

Assembly Bill No. 40—An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of Section 1 of printed bill, line 2, the words "or highways adjacent thereto."

Adopted.

AMENDMENT No. 2.

Amend by inserting after the last word of Section 3 the following: "*provided*, such taker-up may voluntarily deliver such stock so taken up to the owner thereof upon receipt of costs and compensation, as herein provided"

Adopted.

AMENDMENT No 3.

Amend by striking out of Section 5 of printed bill, line 2, the word "expense" and inserting the words "compensation therefor."

Adopted.

Assembly Bill No. 40 ordered to engrossment and third reading.

Assembly Bill No. 68—An Act to amend "An Act to establish the fees of county, township, and other officers, and of jurors and witnesses, in this State," relating to fees to be paid County Clerks.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the title of the bill and inserting the following as title therefor: "An Act relating to pension matters and claims against counties."

Adopted.

AMENDMENT No. 2.

Amend by striking out of Section 1, line 1, the word "paid" and inserting the following: "collected."

Adopted.

AMENDMENT No. 3.

Amend by inserting before Section 1 the enacting clause: "The people of the State of California, represented in Senate and Assembly, do enact as follows."

Adopted.

AMENDMENT No 4

Amend by adding a new section, to be known as Section 2, as follows: "This Act shall take effect from and after its passage."

Adopted.

Assembly Bill No. 68 ordered to engrossment and third reading.

Assembly Bill No. 18—An Act to amend clause thirty-seven (37), section twenty-five (25), County Government Act.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 57—An Act to amend Section 792 of the Political Code, so as to prohibit a county officer, or his deputy, from being a notary public.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 150—An Act to define the duties and liabilities of employment agents.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 1 by inserting the following: After the word "information," in line 3, the words "giving or," and in line 4, after the word "registration," the word "made"

Adopted.

AMENDMENT No. 2.

Amend by adding to Section 2 "and the fees in this section established shall be the compensation in full for all services and assistance rendered by such employment agent in securing employment."

Adopted.

AMENDMENT No. 3.

Amend Section 7 by adding in line 5, after the words "notices," the words "in regard to laws."

Adopted.

Assembly Bill No. 150 ordered to engrossment and third reading.

Assembly Bill No. 6—An Act authorizing the appointment of an interpreter of the Japanese language in criminal proceedings in cities, and cities and counties, of one hundred thousand inhabitants and over.

Read second time.

The following committee amendment was submitted:

Amend Section 2 of original bill by striking out the words "and fifty" in the second line.

Adopted.

Assembly Bill No. 6 ordered to engrossment and third reading.

Assembly Bill No. 139—An Act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof.

Read second time.

The following committee amendments were submitted:

Amend by adding the words "or clerk" after the word "secretary," in line 5, Section 1.

Also: Amend by adding a new line between lines 6 and 7, to be line 7, as follows: "Veterinary surgeon, one thousand eight hundred dollars."

Also: That the present line 7 shall be line 8.

Adopted.

Assembly Bill No. 139 ordered to engrossment and third reading.

Assembly Bill No. 268—An Act to provide for the annual salaries of the Judges of the Superior Court of the City and County of San Francisco.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 264—An Act to amend Section 172 of the Civil Code, relative to the management and control of community property.

Read second time.

The following amendment was submitted:

Amend by striking out, in line 4 of the original bill, after the word "property," down to and including the word "therein," in line 7, and inserting the words "without the consent of the wife."

Adopted.

Assembly Bill No. 264 ordered to engrossment and third reading.

Assembly Bill No. 149—An Act to amend Section 702 of the Code of Civil Procedure, relating to redemption of property sold under judgment.

By unanimous consent, the author was allowed to withdraw the same.

Assembly Bill No. 4—An Act to protect all citizens in their civil and legal rights.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of Section 2, printed bill, in line 10, after the word "offense" down to and including the word "offense," in line 13.

Adopted.

AMENDMENT No. 2.

Amend by striking out of Section 2, line 14, the words "one hundred a," and inserting the word "fifty."

Adopted.

AMENDMENT No. 3.

Amend by striking out of Section 2, line 16, after the word "satisfied."

Adopted.

Assembly Bill No. 4 ordered to engrossment and third reading.

Assembly Bill No. 14—An Act to amend Section 2955 of the Civil Code of California, respecting the mortgaging of personal property.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by inserting in page 2 of printed bill, line 23, the word "wagons" after the word "presses."

Adopted.

AMENDMENT No. 2.

Amend by adding the following: "Nineteenth—Raisins and dried fruits, cured or in process of being cured"

Adopted.

Assembly Bill No. 14 ordered to engrossment and third reading.

Assembly Bill No. 172—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of Section 1 of printed bill, line 4, the word "eighteen," and inserting instead the word "twelve."

Adopted.

AMENDMENT No. 2.

Amend by striking out of Section 2 of printed bill, line 36, the word "eighteen," and inserting instead the word "twelve."

Adopted.

Assembly Bill No. 172 ordered to engrossment and third reading.

Mr. Shanahan moved that Assembly Bill No. 172 be made the special order for Tuesday morning, immediately after reading of the Journal.

So ordered.

Assembly Bill No. 164—An Act to amend Section 2181 of the Civil Code of California, relating to luggage.

Read second time, and ordered to engrossment and third reading.

Mr. North moved that Assembly Bill No. 164 be made the special order for Tuesday, immediately after reading of the Journal.

So ordered.

Assembly Bill No. 173—An Act to add a new section to the Penal Code of the State of California, to be known and designated as Section 180, relating to the acceptance and holding of private deposits of moneys, or other valuables, in the county treasury by the County Treasurers.

Read second time, and ordered to engrossment and third reading.

LEAVE OF ABSENCE.

On motion of Mr. Leavitt, Chief Clerk Duckworth was granted a leave of absence for three days.

Mr. Bridgford was granted a leave of absence for the day.

WITHDRAWAL OF BILLS.

Mr. Clarke was granted unanimous consent to temporarily withdraw Assembly Bills Nos. 595, 596, and 597.

REPORT OF SPECIAL COMMITTEE—(OUT OF ORDER).

MR. SPEAKER: Your special committee of one, to whom was referred the matter of investigating the reason why the rules and names of committees have not been printed, begs to report back as follows:

The rules have been under consideration, and are being corrected daily, and the clerks have been compelled to go through the Journals to get out the rules, as they appear day by day. Yesterday those rules were completed up to date, and were put into

the printer's hands about eleven o'clock. I am informed by the State Printer that they will be delivered to the House, ready for delivery to each member, by to-morrow (Friday) morning.

Respectfully submitted.

LEAVITT, Committee.

ADJOURNMENT.

At twelve o'clock and forty-five minutes P. M., the hour for adjournment having arrived, the Speaker declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 29, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Dennery, Dibble, Dryden, Elliott, Emmons, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kenyon, Lacy, Landsborough, Mahoney, Mead, Melick, McClellan, North of Alameda, Pohlman, Power of Placer, Rubell, Ryan, Sanford, Sims, Soward, Stansell, Strain, Toland, Valentine, Vosburg, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

The reading of the Journal of yesterday was dispensed with.

APPROVAL OF JOURNAL.

The Journal of Wednesday, January 20th, was approved.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897.

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 15 of an Act entitled an Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867," approved March 30, 1868, approved March 12, 1885.

Also: Assembly Bill No. 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing bodies, and repealing conflicting Acts.

Also: Assembly Bill No. 11—An Act to amend Sections 8 and 49 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 March 26, 1895.

Also: Assembly Bill No. 12—An Act to amend Section 312 of the Code of Civil Procedure of the State of California, relating to the time of commencing actions.

Also: Assembly Bill No. 41—An Act to amend Section 1469 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 $1,500.

Also: Assembly Bill No. 49—An Act to provide for a lunch hour for employés

Also: Assembly Bill No. 57—An Act to amend Section 792 of the Political Code, so as to prohibit a county officer or his deputy from being a notary public.

Also: Assembly Bill No. 80—An Act to provide for the employment of citizens of the United States upon public works within this State.

Also: Assembly Bill No. 164—An Act to amend Section 2181 of the Civil Code of California, relating to luggage.

Also: Assembly Bill No. 173— An Act to add a new section to the Penal Code of the State of California, to be known and designated as Section 180, relating to the acceptance and holding of private deposits of moneys, or other valuables, in the county treasury by the County Treasurers.

Also: Assembly Bill No. 260—An Act to validate the organization and incorporation of municipal corporations.

Also: Assembly Bill No. 268—An Act to provide for the annual salaries of the Judges of the Superior Court of the City and County of San Francisco.

Also: Assembly Bill No 452 (Substitute for Assembly Bill No 38)—An Act to repeal Sections 626*a*, 626*b*, 626*c*, 626*d*, 626*e*, 626*f*, 626*g*, 626*h*, 626*i*, 627*a*, 627*b*, 627*c*, and 627*d*, and to amend Sections 626 and 627 of the Penal Code of the State of California, relating to game.

AUSTIN, Chairman.

SPECIAL ORDERS.

Assembly Bill No. 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing bodies, and repealing conflicting Acts.

Mr. Dibble moved to have this bill passed on file.

So ordered.

LEAVE OF ABSENCE.

Messrs. McCandlish and Bridgford were granted a leave of absence for the day.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON FEDERAL RELATIONS—MAJORITY REPORT

ASSEMBLY JOINT RESOLUTION No. 17.

Substitute for Assembly Joint Resolution No. 13, relative to the struggle of the Cuban people for free and independent government.

Resolved by the Assembly and Senate of the State of California, That, while we extend our warmest sympathy to the Cubans in their heroic struggle for independence, we deem it inopportune at this time to offer advice to the Federal Government as to its treatment of a grave international question, but have full confidence that the National Administration will deal with it in a manner which will not only secure the desired end, but reflect honor and credit on the United States

ON FEDERAL RELATIONS—MINORITY REPORT.

The minority of the Committee on Federal Relations, to whom was submitted various resolutions touching Cuban affairs, beg leave to submit the following as a minority report:

WHEREAS, The inhabitants of Cuba have for years been struggling to achieve national independence, and to secure the free exercise of those inalienable rights to which all men are entitled under the laws of God and nature; and

WHEREAS, Under the principles which underlie the doctrine of human rights, we recognize our duty as American citizens to extend sympathy, and aid, if need be, to all who oppose despotic oppression and strive to establish a republican form of government in the western hemisphere; and

WHEREAS, The methods of warfare which have been and are now being carried on for the suppression of the Cubans are contrary to the established usages of war, and a stigma upon the Christian civilization of the nineteenth century; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring therein, That we favor the recognition, by the Government of the United States, of the rights of the Cubans as belligerents;

Resolved, That the Chief Clerk of this Assembly transmit copies of these resolutions to the Senators and Representatives in Congress from the State of California.

DRYDEN, Chairman.

The question being on the resolution offered by the minority.

The ayes and noes were demanded by Messrs. Burnett, Shanahan, and Foreman.

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

AYES—Messrs. Aldridge, Allen, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Houghton, Keables, Keegan, Lacy, Landsborough, Mahoney, Mulcrevy, McClellan, McGrath, Rubell, Ryan, Sanford, Shanahan, and Toland—26

NOES—Messrs. Anderson, Austin, Belshaw, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Jones, Kenyon, Melick, North of Alameda, Pohlman, Power of Placer, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, and Mr. Speaker—35.

The question now recurring on the majority report.

Assembly Joint Resolution No. 17 adopted.

Assembly Joint Resolution No. 17 ordered transmitted to Senate.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 140—An Act to amend Sections 237, 245, 246, and 268 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.

The following amendments were submitted:

By the committee:

AMENDMENT No. 1.

Amend by striking out of Section 2, line 15, the word "ten," and inserting in place thereof the word "fifteen."

Adopted.

AMENDMENT No. 2.

Amend by striking out of Section 3, line 16, the word "ten" and inserting in place thereof the word "twenty."

Adopted.

By Mr. North, of Alameda:

AMENDMENT No. 3.

Amend by adding to Section 1. line 10, the words: "And there shall be no other officers or employés until the regular organization is completed. In no case shall the cost of organization exceed the sum of $400 for either house."

Adopted.

By Mr. Guy:

AMENDMENT No. 4.

By striking out of Section 1, line 5, the word "postmistress" and inserting the following: "postmaster."

Adopted.

AMENDMENT No. 5.

By striking out of Section 1, line 6, the words "her assistant" and inserting the following: "the assistant postmaster."

Adopted.

MOTIONS.

Mr. Shanahan moved that Assembly Bill No. 140 be printed as amended, and referred to Committee on Judiciary.

So ordered.

Mr. Belshaw moved to make Assembly Bill No. 140 special order for Wednesday, immediately after reading of the Journal.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON PUBLIC WORKS, STATE CAPITOL, AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Assembly Bill No. 405—An Act making an appropriation for improving the Capitol building and grounds—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ENNIS, Chairman.

Assembly Bill No. 405 read first time, and referred to Committee on Ways and Means.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 331—An Act to amend Section 359, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations, and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof—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. 270—An Act to reduce the rates of fares on street railroads in cities, cities and counties, or towns, and to require the issuance of commutation tickets for not less than thirty trips at reduced rates—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 122—An Act to amend Section 427 of the Civil Code, in relation to insurance—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CUTTER, Chairman.

WITHDRAWAL OF BILL.

By unanimous consent, Mr. Mead, the author of Assembly Bill No. 331, withdrew the same.

MOTION.

Mr. Dibble moved that the rules be suspended and Assembly Bill No. 122 read first time.

So ordered.

Assembly Bill No. 122 read first time, and ordered on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No 46—An Act regulating the hours of labor in sawmills, shingle-mills, shake-mills, and logging camps—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

DENNERY, Chairman.

ON BANKS AND BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897.

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred Assembly Bill No. 434—An Act to amend Sections 7 and 9 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 as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners—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 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, partnerships, firms, and individuals doing a banking business within this State—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same, and that the committee substitute bill be reported back, with recommendation that it do pass.

HILL, Chairman.

Mr. Elliott moved to suspend the rules, and that the committee substitute for Assembly Bill No. 67 be read first time.

Motion lost.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Banks and Banking: Assembly Bill No. 620 (Substitute for Assembly Bill No. 67)—An Act to amend Sections 6 and 25 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 as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners, and adding three new sections thereto, to be numbered 28, 29, and 30, respectively.

Ordered on file for first reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 473—An Act to add a new section to the Political Code, to be known and designated as Section 1889½, relating to the authorization and employment of a specialist in sociological education in counties, and cities and counties, and providing for the duties and execution of the work of such specialist—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KEABLES, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897.

MR SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bills Nos 25 and 189—An Act to provide for the payment of the wages of mechanics and laborers employed by persons, partnerships, or corporations—have had the same under consideration, and respectfully report the same back, and recommend the following bill as a substitute therefor.

DENNERY, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Labor and Capital: Assembly Bill No. 621 (Substitute for Assembly Bills Nos. 189 and 25)—An Act to provide for the payment of the wages of mechanics and laborers employed by persons, partnerships, or corporations.

Ordered on file for first reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 66—An Act to enable cities incorporated and operating under a

charter framed under Section 8, Article XI, of the Constitution, to abandon and annul such charter, and organize under general laws—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

VALENTINE, Chairman.

ON FEDERAL RELATIONS—MAJORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897.

MR SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 15—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GOODHUE, Chairman.

ON FEDERAL RELATIONS—MINORITY REPORT.

The minority of the Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 3, beg leave to submit the following minority report:

WHEREAS, We recognize the fact that by the demonetization of silver, and by refusal to give it national standing in the coinage system of the United States, as provided for in the Constitution, the material interests of the nation are 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 for the advancement of selfish ends; and

WHEREAS, We entertain the 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 meaning of the Constitution of the United States, and of the policy which prevailed prior to eighteen hundred and seventy-three; and, having unbounded faith in the ability of this nation to restore and maintain silver in its proper position alongside of gold, therefore, be it

Resolved, That our Senators in Congress be instructed and our Representatives therein be requested to 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 at the ratio of sixteen to one; and be it further

Resolved, That our Senators be instructed and our Representatives requested to urgently advocate the enactment of such laws as will prevent the further issue of United States bonds for the purpose of maintaining a single gold standard, or any other standard that does not contemplate the free and unrestricted use of silver as primary money of the nation;

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

DRYDEN.
EMMONS.

Also:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No 14.

Also: Senate Joint Resolution No. 8.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted

Also: Assembly Bill No. 522—Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GOODHUE, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 160—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 161—An Act to pay the claim of William H. Donnelly against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 312—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 they do pass as amended, and be referred to Committee on Ways and Means.

Also: Assembly Bill No. 159—An Act to pay the claim of William M. Sullivan against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 271—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Also: Assembly Bill No 408—An Act to pay the claim of Paris Kilburn, J. B. Fuller, and H. W. Magee, Bank Commissioners of the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 502—An Act for the relief of W. C. Guirey.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be re-referred to Committee on Ways and Means.

BELSHAW, Chairman.

Assembly Bills Nos. 160, 161, 312. 159, 271, 408, and 502 ordered re-referred to Committee on Ways and Means.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 97—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to mortgages.

Also: Assembly Bill No. 99—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to mortgages.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 192—An Act to provide for the giving of bonds by the keeper of inteligence offices, defining the same, and their liabilities—have had the same under consideration, and respectfully report the same back, and recommend that same be re-referred to the Committee on Labor and Capital.

Also: Assembly Bill No. 103—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Also: Assembly Bill No. 197—An Act to amend an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895, relating to voluntary insolvency.

Also: Assembly Bill No 202—An Act to amend Section 977 of the Code of Civil Procedure, relating to the filing of papers on appeal to Superior Court.

Also: Assembly Bill No. 289—An Act amending the Code of Civil Procedure of the State of California, adding a new section thereto, to be known and designated as Section 1408, making the expense of giving a bond by administrators, executors, trustees, receivers, and assignees, an expense payable as an expense of administration

Also: Assembly Bill No 293—An Act to amend Section 737 of the Political Code.

Also: Assembly Bill No 310—An Act to amend Section 1255 of the Code of Civil Procedure, relating to costs in condemnation suits

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No 125—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered Section 1641, relating to the settlement of accounts of executors and administrators

Also: Assembly Bill No 186—An Act to amend Section 883 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Also: Assembly Bill No. 293—An Act to amend an Act entitled "An Act to amend Section 10 of the Political Code of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

Also: Assembly Bill No. 295—An Act to amend an Act entitled "An Act to amend Sections 10 and 134 of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays

Also: Assembly Bill No. 294—An Act to amend an Act entitled "An Act to amend Section 7 of the Civil Code of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays

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

Also: Assembly Bill No 107—An Act to amend Section 928 of the Penal Code of California, and relating to the appointment of experts to examine the county records—have had the same under consideration, and respectfully report the same back, and recommend that same be re-referred to the Committee on County and Township Governments.

Also: Assembly Bill No. 121—An Act to create and regulate in any city or city and county in this State, public warehouses other than warehouses for the storage of grain or wool, and to enforce warehouse liens—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Agriculture.

WAYMIRE, Chairman.

Assembly Bills Nos. 97 and 99 ordered re-referred to Committee on Revision of Codes and Statutes.

Assembly Bill No. 192 ordered re-referred to Committee on Labor and Capital.

Assembly Bill No. 107 ordered re-referred to Committee on County and Township Governments.

Assembly Bill No. 121 ordered re-referred to Committee on Agriculture.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 438—An Act to prevent the granting of franchises or privileges for the construction, or extension, or operation of railroads over or upon county roads or highways by Boards of Supervisors of the several counties of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CLARKE, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 287—An Act making an appropriation to pay the expenses of Electors of President and Vice-President of the United States of America.

Also: Assembly Bill No. 305—An Act appropriating $287,000 to pay claims against the State of California, known as coyote scalp claims.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be permitted to withdraw the same.

GUY, Chairman.

By unanimous consent the authors were allowed to withdraw the same.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 44—An Act to establish and support a department of labor

Also: Assembly Bill No. 391—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund

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

Also: Assembly Bill No. 352—An Act authorizing the Secretary of State to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as Janitor's Clerk, who shall keep the accounts of the supply department, and making an appropriation for the payment of his salary for the remainder of the forty-eighth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly resolution by Mr. Dibble, for supplies purchased by the Sergeant-at-Arms.

Resolved, That the Controller be and is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for two hundred and six dollars and fifty-four cents ($206 54), in favor of W. O. Banks, Sergeant-at-Arms of Assembly, from the Contingent Fund, to pay for articles as per attached vouchers:

Bought of H. S Crocker Co.		
January 12—1 cash-box	$1 25	
January 14—2 dozen Globe files	25 30	
January 18—3 10-12 dozen Globe files	48 49	
		$75 04
Bought of Union Ice Co.		
January 17—1,275 pounds of ice, @ 1c		12 75
Bought of Tom Scott		
January 14—2 electric portables, complete, $15 each	$30 00	
January 18—1 dozen cuspidors	10 00	
		40 00
Bought of Day & Joy		
January 12—12 badges, and printing		2 50
Bought of Sayre & Son		
January 7—1 mail pouch for the Assembly		4 50
Bought of Schaw, Ingram, Batcher & Co.		
January 7—1 cupboard turn, M 444		25
Bought of B. Wilson & Co		
January 7—3 dozen roller towels, @ $6		18 00
Bought of Capital Electric Works		
January 6—4 keys for door	$1 25	
January 6—2 locks for cabinet, 2 extra keys, 2 catches for door bolts	2 50	
		3 75

Bought of Crystal Palace:

January 5—2 10-gallon filters, @ $20	$40 00	
January 5—1 5-gallon filter	8 50	
January 5—1 dozen tumblers	1 25	
		$49 75

Recapitulation.

To 2 10-gallon filters	$40 00
1 5-gallon filter	8 50
1 dozen tumblers	1 25
Locks and keys for desks and doors	3 75
3 dozen roller towels	18 00
1 cupboard turn	25
1 mail pouch	4 50
1 dozen badges for Pages	2 50
2 electric portables, complete	30 00
1 dozen cuspidors	10 00
1,275 pounds of ice	12 75
1 cash-box	1 25
70 Globe files	73 79
	$206 54

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1897.

I hereby certify that the foregoing is a true copy of a resolution referred to Ways and Means Committee, as adopted by the Assembly on the 20th day of January, 1897.

S. J. DUCKWORTH, Clerk.
By W. G. HAWKETT, Assistant.

GUY, Chairman.

Report adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 138—An Act appropriating money to pay the expenses of collecting, preparing, forwarding, installing and maintaining, taking down and returning, an exhibit of the products of the State of California at the Tennessee Centennial Exposition, to be held in Nashville in 1897, and to provide for a commission, secretary of commission, and for the pay of the secretary thereof.

Also: Senate Bill No. 266—An Act making an appropriation to pay the expenses of Electors of President and Vice-President of the United States of America.

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

GUY, Chairman.

ON PUBLIC WORKS, STATE CAPITOL, AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Assembly Bill No. 376—An Act to appropriate money for the erection of additional buildings at the Preston School of Industry at Ione, and for furnishing and equipping the same.

Also: Assembly Bill No 377—An Act to provide for the construction of a reservoir for settling and storing water at the Preston School of Industry, and making an appropriation therefor

Also: Assembly Bill No. 378—An Act to provide for certain improvements at the Preston School of Industry, and making an appropriation therefor.

Also: Assembly Bill No. 379—An Act to provide for the purchase of additional land for the Preston School of Industry at Ione, and making an appropriation therefor.

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

ENNIS, Chairman

At eleven o'clock A. M., the Speaker called Mr. Shanahan to the chair.

Mr. Sims moved that Assembly Bills Nos. 271 and 405 retain their place on file.

So ordered.

Mr. Emmons moved that Assembly Bill No. 613 be re-referred to Committee on Public Buildings and Grounds.

So ordered.

RESOLUTIONS.

By Mr. Burnham:

Resolved, That the Committee on County and Township Governments be and it is hereby directed to report a section in the proposed County Government Bill providing that the Auditor shall not be attached to or consolidated with any other office, and imposing upon the Auditor additional duties as County Expert.

Mr. Burnham moved to suspend the rules, and that the subject of the resolution be made special order for next Monday, immediately after reading of the Journal.

So ordered.

By Mr. Sims:

Resolved, That the Sergeant-at-Arms furnish the Committee on Ways and Means with a set of Deering's Annotated Codes, with the supplements thereto.

Mr. Sims moved that the rules be suspended for the consideration of the resolution.

So ordered.

Resolution adopted.

At eleven o'clock and ten minutes A. M., Mr. Coombs resumed the chair.

By Mr. Foreman:

Resolved, That the Committee on Attachés and Employés be and they are hereby required to furnish the Assembly, within three days, a statement of all officers, attachés, and employés on the payroll of the Assembly at this date, and their per diem.

Mr. Foreman moved that the rules be suspended for consideration of the resolution.

So ordered.

Resolution adopted.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 263—An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year—and presented the same to the Governor on this day, at ten o'clock and fifteen minutes A. M.

FONTANA, Chairman.

INTRODUCTION OF BILLS.

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

By Mr. Dibble: Assembly Bill No. 622—An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State Home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State.

Referred to Committee on Judiciary.

By Mr. North, of Alameda: Assembly Bill No. 623—An Act to amend Sections 350, 351, and 354 of the Penal Code of the State of California, relating to the punishment of counterfeiting trademarks, and the sale of goods bearing counterfeited trademarks, and other infringements of the rights of trademarks.

Referred to Committee on Manufactures and Internal Improvements.

By Mr. Emmons: Assembly Bill No. 624—An Act amending Section 407 of the Code of Civil Procedure of the State of California.

Referred to Committee on Judiciary.

By Mr. Cross: Assembly Bill No. 625—An Act relating to certain banking corporations, and the management and administration of the affairs of such corporations.

Referred to Committee on Banks and Banking.

By Mr. Robinson: Assembly Bill No. 626—An Act legally defining what a miner's inch of water shall consist of.

Referred to Committee on Mines and Mining.

Also: Assembly Bill No. 627—An Act to amend Sections 1817 and 1818 of the Political Code, relating to the public schools.

Referred to Committee on Education.

Also: Assembly Bill No. 628—An Act to amend Sections 1517, 1520, and 1521 of the Political Code, relating to the public schools.

Referred to Committee on Education.

By Mr. Elliott: Assembly Bill No. 629—An Act to amend Section 1727 of the Code of Civil Procedure, relating to the appointment, bond, and oath of Public Administrators.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 630—An Act to add two new sections to the Code of Civil Procedure, to be designated as Sections 1745 and 1746, respectively, relating to the appointment of Public Administrators as guardians of the estates, or the persons and estates, of minors and insane persons.

Referred to Committee on Judiciary.

By Mr. Sims: Assembly Bill No. 631—An Act to repeal Section 3640 of the Political Code of California, relating to the duties of Assessors.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 632—An Act to provide for the organization and management of county fire insurance companies.

Referred to Committee on Corporations.

By Mr. Power, of Placer: Assembly Bill No. 633—An Act to amend Section 605 of the Penal Code of the State of California, relating to the removing, defacing, or altering landmarks.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 634—An Act to amend an Act entitled "An Act supplementary to an Act entitled an Act concerning crimes and punishments," passed April 16, 1850; approved March 20, 1872.

Referred to Committee on Judiciary.

By Mr. Waymire: Assembly Constitutional Amendment No. 28—Proposing an amendment to Article VI, relating to the judicial department.

Referred to Committee on Constitutional Amendments.

By Mr. Jones: Assembly Bill No. 635—An Act to amend the Penal Code by adding a new section thereto, to be numbered Section 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies.

Referred to Committee on Military Affairs.

RESOLUTION.

By Mr. Leavitt:

Resolved, That a special committee of five be appointed by the Speaker to investigate the State Printing Office, and that they be empowered to administer oaths, take testimony, and all other powers that are necessary for the proper transaction of their duties, and report their findings to this House.

By unanimous consent, Mr. Leavitt was allowed to withdraw the resolution.

MOTIONS.

Mr. Leavitt moved that the Committee on Commissions, Retrenchment, and Public Expenditures be instructed to report back, to-morrow morning, Mr. Bridgford's resolution relative to the investigation of the State Printing Office.

So ordered.

Mr. Shanahan moved that when the hour of adjournment arrives, the Assembly take a recess until three o'clock P. M.

So ordered.

Mr. Dibble moved that the first-reading file be made a special order for this afternoon, at three o'clock.

So ordered.

CONCURRENT RESOLUTION.

By Mr. Melick:

ASSEMBLY CONCURRENT RESOLUTION No. 2.

WHEREAS, The Government of the United States owns and maintains as a National Park, under the general title of the Yosemite National Park, certain tracts of land within the boundary lines of the State of California, comprising an area of about nine hundred thousand acres; and

WHEREAS, The Government of the United States, by special Act of Congress, approved on the 30th of June, 1864, did cause to be made to the State of California a deed in trust to certain specified sections of land, designated in the trust deed as the "Yosemite Valley and Mariposa Big Tree Grove," covering an area of about thirty-four thousand five hundred acres, and situated as nearly as may be near the center of the Yosemite National Park, which deed of trust was accepted by the Legislature of the State of California by the passage of an Act approved April 2, 1866, and

WHEREAS, There is now pending in the Congress of the United States a bill which provides for the purchase by the Government of the United States of the three toll roads leading from the Yosemite Reservation through the Yosemite Park to the highways beyond, which, if it becomes a law, will vest in the General Government absolute ownership and control of the main avenues of approach to the Yosemite Valley and Mariposa Big Tree Grove; and

WHEREAS, The best interests of the whole people of the United States, and in particular those resident on the Pacific Coast and within the State of California, will be conserved by the recession of the possessions of the State of California lying within the boundaries of the Yosemite National Park to the general Government; therefore, be it

Resolved by the Assembly, the Senate concurring, That his Excellency James H. Budd, as the chief executive officer of the State of California, be and he is hereby instructed to take such immediate action as may be necessary to secure the recession by the State of California to the General Government of the United States of the grant lands included within the boundary lines of the Yosemite Valley and Mariposa Big Tree Grove, to the end that the said grant lands may be included in and become a part of the Yosemite National Park, to be maintained by the General Government under the laws governing national parks, and that, pending the final act or acts of recession, no appropriation of State moneys for the erection of buildings, or for any purpose other than that expended for the actual cost of maintenance of the Yosemite Valley and Mariposa Big Tree Grove, as provided for in existing statutes of the State of California, shall be made by the Legislature of the State of California in Senate or Assembly assembled.

Referred to Committee on Public Lands and Forestry.

RESOLUTION.

By Committee on Rules:

Resolved, That Rule XIV, order making Special File, be amended so as to read as follows:

The Clerk shall, from time to time, make up a file to be known as the "Special File," on which he shall place all bills relating to revenue and appropriations which have been reported from the Committee on Ways and Means with the recommendation that they do pass, election laws, 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 on the Special File.

Laid over one day.

SPECIAL FILE.

Assembly Bill No. 227—An Act making an appropriation to pay the expenses incurred by calling the National Guard of California into service, by order of the Governor, in 1894 and 1895.

The question being, "Shall Assembly Bill No. 227 be read a third time?"

So ordered.

The question being on the final passage of the bill.

The roll call was ordered.

Mr. Dibble moved that the vote whereby Assembly Bill No. 227 was ordered read a third time be reconsidered.

So ordered.

Mr. Dibble moved to omit the partial roll call from the Journal, and Assembly Bill No. 227 be passed on file.

So ordered.

Assembly Bill No. 101—An Act to authorize the use of photography to detect and prevent fraudulent voting.

The author, Mr. Strain, by unanimous consent of the Assembly, withdrew the same.

Assembly Bill No. 170—An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law.

Read second time.

The following committee amendment was submitted:

Amend by striking out of Section 1, line 9, of the printed bill, the words "the members" and inserting the following: "to the pledges exacted of a candidate by the platform or resolutions."

Adopted.

THIRD-READING FILE.

Mr. Dibble moved that the following Assembly bills, on third-reading file, be passed on file:

Assembly Bills Nos. 415, 416, 417, and 418.

So ordered.

Assembly Bill No. 419—An Act to amend Section 542 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Anderson, Belshaw, Bettman, Boone, Breiling, Burnett, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Gately, Godfrey, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Melick, McClellan, Pohlman, Power of San Francisco, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—54.

NOES—Mr. Aldridge—1.

Title read and approved.

Assembly Bill No. 420—An Act to amend Section 581 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble,

Dryden, Elliott, Fontana, Gately, Godfrey, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Melick, Mulcrevy, McClellan, McGrath, Power of Placer, Power of San Francisco, Robinson, Rubell, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Assembly Bill No. 421—An Act to amend Section 632 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Boone, Breiling, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Foreman, Gately, Godfrey, Goodhue, Harris, Hudson, Jones, Keables, Keegan, Kenyon, Landsborough, Leavitt, Mahoney, Melick, Mulcrevy, McClellan, McGrath, Pohlman, Power of Placer, Power of San Francisco, Robinson, Rubell, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Assembly Bill No. 422—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered Section 635.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Boone, Breiling, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Fontana, Foreman, Gately, Godfrey, Goodhue, Harris, Hudson, Jones, Keables, Keegan, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Melick, McClellan, Power of Placer, Power of San Francisco, Robinson, Rubell, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, and Mr. Speaker—47.

NOES—None.

Title read and approved.

MOTIONS.

Mr. Dibble moved that when the House adjourn it be until to-morrow at nine o'clock and thirty minutes A. M., and that to-morrow's session be devoted to the first and second reading files.

So ordered.

Mr. Dibble moved that the time for recess be extended fifteen minutes.

So ordered.

WITHDRAWAL OF BILL.

By unanimous consent, Mr. Soward was allowed to withdraw Assembly Bill No. 335.

At twelve o'clock and thirty minutes P. M., the Speaker called Mr. Caminetti to the chair.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 423—An Act to amend Section 658 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Anderson, Austin, Belshaw, Boone, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Elliott,

Fontana, Gately, Godfrey, Goodhue, Guy, Harris, Houghton, Hudson, Jones, Keables, Kenyon, Lacy, Landsborough, Melick, Mulcrevy, Pohlman, Power of Placer, Robinson, Rubell, Sims, Shanahan, Soward, Stansell, Toland, and Valentine—43.

NOES—None.

Title read and approved.

Assembly Bill No. 424—An Act to amend Section 659 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Boone, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Dibble, Dryden, Elliott, Fontana, Gately, Godfrey, Goff, Goodhue, Houghton, Hudson, Jones, Keables, Keegan, Kenyon, Lacy, Leavitt, Mahoney, Melick, Mulcrevy, McClellan, Pohlman, Power of Placer, Rubell, Sanford, Sims, Shanahan, Soward, Stansell, Toland, Valentine, Vosburg, and Waymire—46.

NOES—None.

Title read an approved.

Assembly Bill No. 425—An Act to amend Section 660 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Austin, Boone, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Dibble, Elliott, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Houghton, Hudson, Jones, Keables, Keegan, Kenyon, Landsborough, Leavitt, Mahoney, Melick, Mulcrevy, McGrath, McLaurin, Power of Placer, Robinson, Rubell, Sanford, Sims, Shanahan, Soward, Toland, Valentine, Vosburg, and Waymire—44.

NOES—None.

Title read and approved.

At twelve o'clock and forty-five minutes P. M., the Speaker resumed the chair.

Assembly Bill No. 426—An Act to amend Section 661 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cutter, Dibble, Dolan, Dryden, Fontana, Godfrey, Goff, Guy, Henry, Houghton, Hudson, Jones, Keables, Kenyon, Leavitt, Melick, McGrath, Power of Placer, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—42.

NOES—None.

Title read and approved.

WITHDRAWAL OF BILL.

By unanimous consent, Mr. Robinson was permitted to withdraw Assembly Bill No. 628.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 261—An Act for the appointment of a commissioner to represent the State of California at the Central American Exhibition, to be held in the City of Guatemala on March 15, 1897, and to prescribe his powers and duties; and to authorize the appointment of a clerk, and to provide for the expenses of said committee,

and the compensation of said clerk, and for certain expenses of the California exhibit at said exhibition, and to appropriate money therefor—and presented the same to the Governor on this day, at eleven o'clock and twenty minutes A. M.

FONTANA, Chairman.

RESOLUTION.

By Mr. Leavitt:

Resolved, That the State Printer be and he is hereby ordered to print one thousand small pamphlets, containing list of members, list of officers, order of business, list of standing committees of the House, place of meeting, and names of clerks, for distribution from the office of the Sergeant-at-Arms.

On motion of Mr. Leavitt, the rules were suspended and the resolution adopted.

LEAVE OF ABSENCE.

Mr. Keegan was granted a leave of absence until Monday noon.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Cutter: Assembly Bill No. 636—An Act to provide for the preparation of an index of the Journals and Appendices of the Senate and Assembly of the State of California, and directing the Trustees of the California State Library to pay for the same out of the fund for the support of the California State Library.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 637—An Act to amend Sections 633, 634, 635, 637, 638, and 641 of the Civil Code, relating to mutual building and loan associations.

Referred to Committee on Corporations.

APPOINTMENT BY SPEAKER.

The Speaker announced the following appointment:

Miss B. A. Damon, Assistant Postmistress.

RECESS.

At twelve o'clock and fifty-five minutes P. M., the hour for recess having arrived, the Speaker declared a recess until three o'clock P. M.

REASSEMBLED.

The Assembly reassembled at three o'clock and ten minutes P. M. Speaker Coombs in the chair.

Quorum present.

LEAVE OF ABSENCE.

Mr. Godfrey was granted leave of absence until Monday.

Mr. Cartwright was granted leave of absence until next Wednesday.

FIRST-READING FILE.

Assembly Bill No. 324—An Act to change the name of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California to Home for the Adult Blind.

Read first time, and ordered on file for second reading.

Assembly Bill No. 380—An Act to empower the legislative body of any incorporated city or town within the State of California to levy

taxes and expend the same in eradicating fruit-tree pests in cities and towns having within their corporate limits two thousand acres or more of fruit trees.

Read first time, and ordered on file for second reading.

Assembly Bill No. 252—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote horticultural interests of the State,'" approved March 19, 1889.

Read first time, and ordered on file for second reading.

Assembly Bill No. 61—An Act amending Section 3245 of the Political Code.

Read first time, and ordered on file for second reading.

Assembly Bill No. 72—An Act to keep open natural channels, not navigable, which run through agricultural land, and are subject to overflow, to the injury of the land, and the duty of Boards of Supervisors in relation thereto.

Read first time, and ordered on file for second reading.

Assembly Bill No. 191—An Act to amend Section 3633 of the Political Code of the State of California, relating to the assessment of property of persons neglecting or refusing to make and give to the Assessor a statement of his property.

Read first time, and ordered on file for second reading.

Assembly Bill No. 398—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 9 of Section 164 thereof, relating to the compensation of the Coroner in counties of the second class.

Read first time, and ordered on file for second reading.

Assembly Bill No. 78—An Act to amend the section referring to jurors' fees in "An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State," approved March 28, 1895.

Read first time, and ordered on file for second reading.

Assembly Bill No. 59—An Act to add two new sections to the Code of Civil Procedure, said sections to be designated as Sections 663 and 663½, respectively, providing for the setting aside of a judgment of a Superior Court and the rendition of a new judgment without a new trial.

Read first time, and ordered on file for second reading.

Assembly Bill No. 348—An Act to amend Section 415 of the Political Code, by providing for the purchase of digests of the decisions of the Supreme Court, and their distribution to certain Justices of the Peace.

Read first time, and ordered on file for second reading.

Assembly Bill No. 480—An Act to amend Section 671 of the Code of Civil Procedure of the State of California, relating to judgment liens.

Read first time, and ordered on file for second reading.

Assembly Bill No. 205—An Act to amend Section 1214 of the Civil Code, relating to the recording of conveyances.

Read first time, and ordered on file for second reading.

Assembly Bill No. 361—An Act entitled an Act to amend the Political Code, by adding a new section requiring the State and subdivisions of the State to give preference to goods manufactured or produced in the State when contracting for or purchasing goods or other property.

Read first time, and ordered on file for second reading.

Assembly Bill No. 362—An Act entitled an Act to amend the Political Code, by adding a new section prohibiting the imposing of a license upon any person soliciting orders for the sale of any articles manufactured or produced in this State which, under the laws of the United States, cannot be legally imposed upon persons soliciting orders for the sale of like articles manufactured in any of the States of the United States.

Read first time, and ordered on file for second reading.

Assembly Bill No. 278—An Act to amend Section 1239 of the Penal Code, relative to the time for appeal from judgment.

Read first time, and ordered on file for second reading.

Assembly Bill No. 429—An Act to amend Section 571 of the Civil Code, relating to savings and loan corporations.

Read first time, and ordered on file for second reading.

Assembly Bill No. 322—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to estates of deceased persons.

Read first time, and ordered on file for second reading.

Assembly Bill No. 240—An Act making an appropriation to pay the deficiency in the appropriation to provide for the erection and operation of rock-crushing plants at the State prisons, etc.

Read first time, and ordered on file for second reading.

Assembly Bill No. 243—An Act making an appropriation to pay the deficiency in the appropriation for payment of the expenses incurred in calling the National Guard of California into service, by order of the Governor, in 1894.

Read first time, and ordered on file for second reading.

Assembly Bill No. 249—An Act making an appropriation to pay the claim of Dennis Jordan, for balance due for work done on the State Prison at Folsom.

Read first time, and ordered on file for second reading.

Assembly Bill No. 211—An Act making an appropriation to pay the deficiency in the appropriation for pay of salaries of agents or assistants, for traveling expenses, and for other contingent expenses of the Bureau of Labor Statistics, as authorized by Statutes of 1889, page 7.

Read first time, and ordered on file for second reading.

Assembly Bill No. 215—An Act making an appropriation to pay the claims of C. E. Cunningham and W. C. Rodgers, for services as elevator attendants in the Capitol building.

Read first time, and ordered on file for second reading.

Assembly Bill No. 236—An Act making an appropriation to pay the deficiency in the appropriation for traveling expenses of the Board of Railroad Commissioners.

Read first time, and ordered on file for second reading.

Assembly Bill No. 237—An Act making an appropriation to pay the claim of W. J. Deater, for publishing notice and summons in foreclosing interest of delinquent purchasers of State school lands.

Read first time, and ordered on file for second reading.

Assembly Bill No. 238—An Act making an appropriation to pay the claim of George A. Sturtevant, for costs of suits in foreclosing delinquent purchasers of State school lands.

Read first time, and ordered on file for second reading.

Assembly Bill No. 239—An Act making an appropriation to pay

expenses incurred by the Commission for the Revision and Reform of the Law.

Read first time, and ordered on file for second reading.

Assembly Bill No. 359—An Act to repeal an Act entitled "An Act to define the duties of Inspectors of Rifle Practice of the National Guard of California," approved March 30, 1878.

Read first time, and ordered on file for second reading.

Assembly Bill No. 360—An Act to amend Section 729 of the Penal Code, State of California, relating to the National Guard.

Read first time, and ordered on file for second reading.

Assembly Bill No. 351—An Act to prevent persons from unlawfully using or wearing the insignia or rosette of the military order of the Loyal Legion of the United States.

Read first time, and ordered on file for second reading.

Assembly Bill No. 85—An Act to amend Section 832 of the Code of Civil Procedure, relating to place of trial of actions in Justices' Courts

Read first time, and ordered on file for second reading.

Assembly Bill No. 372—An Act to amend Sections 739, 769, and 2314 of the Political Code, relating to officers of the Supreme Court and their salaries.

Read first time, and ordered on file for second reading.

Assembly Bill No. 374—An Act to authorize Boards of Health of municipalities and counties of this State to issue subpœnas for witnesses, and to compel attendance of witnesses before such boards.

Read first time, and ordered on file for second reading.

Assembly Bill No. 484—An Act entitled an Act to make the Police Court in counties, cities, and cities and counties, having a population of two hundred thousand inhabitants, a court of record.

Read first time, and ordered on file for second reading.

Assembly Bill No. 105—An Act to amend Sections 739 and 769 of the Political Code, relating to the appointment of phonographic reporters by the Supreme Court.

Read first time, and ordered on file for second reading.

Assembly Bill No. 55—An Act to amend Section 612 of the Code of Civil Procedure, relating to papers jury may take when retiring.

Read first time, and ordered on file for second reading.

Assembly Bill No. 53—An Act to amend Section 1137 of the Penal Code, relating to papers jury may take when retiring.

Read first time, and ordered on file for second reading.

Assembly Bill No. 36—An Act to provide for, insure, and maintain preference in places of appointment or employment in the public service of honorably discharged Union soldiers, sailors, and marines of the War of the Rebellion.

Read first time, and ordered on file for second reading.

Assembly Bill No. 104—An Act to amend an Act to amend an Act entitled "An Act to create and organize the University of California," approved March 23, 1868, approved March 28, 1872, amendatory of Section 25 thereof, relating to the construction of buildings.

Read first time, and ordered on file for second reading.

Assembly Bill No. 427—An Act relating to hospitals for dipsomaniacs and morphine, opium, and alcohol inebriates, in municipalities of the first class.

Read first time, and ordered on file for second reading.

Assembly Bill No. 136—An Act to amend the Political Code by creating a new section, entitled Section 626*j*.

Read first time, and ordered on file for second reading.

Assembly Bill No. 382—An Act to repeal Sections 628*a*, 630, 632*b*, and 633, and to amend Sections 628, 635, and 636 of the Penal Code of the State of California, relating to fish.

Read first time, and ordered on file for second reading.

Assembly Bill No. 440—An Act for the protection of the Antwerp messenger, or homing pigeon.

Read first time, and ordered on file for second reading.

Assembly Bill No. 504—An Act entitled an Act to amend Section 487 of the Penal Code of the State of California, making chicken-stealing grand larceny.

Read first time, and ordered on file for second reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Caminetti: Assembly Bill No. 638—An Act relating to the liens of miners and others upon mining claims.

Referred to Committee on Mines and Mining.

Also: Assembly Bill No. 639—An Act to provide for the care of dependent and wayward classes.

Referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Vosburg: Assembly Bill No. 640—An Act to amend Section 752 of an Act entitled an Act to provide for organization, incorporation, and government of municipal corporations, approved March 13, 1883, and the amendment thereto, approved March 19, 1889, March 5, 1895, and March 26, 1895.

Referred to Committee on Municipal Corporations.

By Mr. Sanford: Assembly Bill No. 641—An Act to amend Sections 1790 and 1791 of the Political Code, relating to City Boards of Examination.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 642—An Act to amend an Act entitled "An Act to enforce the educational rights of children," approved March 28, 1874, relating to the duties of certain officers in connection therewith, by repealing Section 2 of said Act.

Referred to Committee on Education.

Also: Assembly Bill No. 643—An Act to amend Sections 1770, 1771, 1772, 1773, 1774, and 1775 of the Political Code, relative to County Boards of Education.

Referred to Committee on Education.

Also: Assembly Bill No. 644—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1599, 1600, 1615, 1617, 1621, 1622, 1623, 1663, 1697, 1713, 1714, 1830, 1874, 1875, and 1882 of the Political Code of the State of California, and to add one new section to said Code, to be known as Section 1674, relating to the public schools.

Referred to Committee on Education.

RESOLUTION.

By Mr. Leavitt:

Resolved, That the Chairman or acting Chairman of the Ways and Means Committee be empowered to administer oaths, for the purpose of taking testimony.

On motion of Mr. Leavitt, the rules were suspended and the resolution adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 539—*An Act to amend Section 487 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 it do pass.

Also: Assembly Bill No. 300—An Act to protect livery-stable keepers by making certain acts punishable as misdemeanors--have had the same under consideration, and respectfully report the same back, with no recommendation.

Also: Assembly Bill No 195—An Act to amend Article DCXLVII of the Penal Code of California—repeal of the Vagrant Act—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw same.

HAROLD T. POWER, Chairman.

WITHDRAWAL OF BILL.

By unanimous consent of the House, the author of Assembly Bill No. 195, Mr. McClellan, was permitted to withdraw the same.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz:

Assembly Bill No. 227—An Act making an appropriation to pay the expenses incurred by calling the National Guard of California into service, by order of the Governor, in 1894 and 1895.

Also: Assembly Bill No 22—An Act to amend Section 5 of 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.

AUSTIN, Chairman.

MOTION.

Mr. North moved that Assembly Bill No. 429 be recommitted to the Committee on Banks and Banking, and retain its place on file.

So ordered.

LEAVE OF ABSENCE.

Messrs. Canavan and Landsborough were granted a leave of absence until Monday.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 30, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs Aldridge, Allen, Anderson, Belshaw, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Fontana, Foreman, Goff, Goodhue, Guy, Henry, Hill, Houghton, Hudson, Jones, Kelly, Kenyon, Lacy, Leavitt, Mahoney, Mead, Melick, McClellan, McLaurin, North of Alameda, Power of Placer, Robinson, Rubell, Ryan, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, and Mr. Speaker.

READING OF THE JOURNAL.

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

So ordered.

APPROVAL OF JOURNAL.

The Journal of Thursday, January 28th, was approved.

LEAVE OF ABSENCE.

Messrs. Bettman, McCandlish, Pohlman, Godfrey, McGrath, Foreman, Gately, and Emmons were granted leave of absence for the day.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1897.

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 protect all citizens in their civil and legal rights

Also: Assembly Bill No. 172—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Also: Assembly Bill No. 150—An Act to define the duties and liabilities of employment agents.

Also: Assembly Bill No. 21—An Act entitled an Act to amend Section 1 of an Act entitled "An Act to provide for the disincorporation of municipal coporations of the sixth class," approved March 26, 1895

Also: Assembly Bill No. 18—An Act to amend clause 37, Section 25, of the County Government Act.

Also: Assembly Bill No. 6—An Act authorizing the appointment of an interpreter of the Japanese language in criminal proceedings in cities, and cities and counties, of one hundred thousand inhabitants and over.

AUSTIN, Chairman.

ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1897.

MR SPEAKER: Your Committee on Contested Elections, having had under consideration the case of Bennett vs. Toland, find that Thomas O. Toland, the sitting member, is entitled to his seat, and offer the following resolution:

Resolved, That the contest of Bennett vs. Toland be and the same is hereby dismissed.

KENYON, Chairman.

Adopted.

SPECIAL ORDERS—(OUT OF ORDER).

Assembly Bill No. 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions

for the granting of such franchises by the legislative or other governing bodies, and repealing conflicting Acts.

Mr. Dibble moved that the consideration of Assembly Bill No. 396 be postponed, and made special order for Monday morning, immediately after reading of the Journal.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1897.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz .

Assembly Bill No. 139—An Act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof.

Also: Assembly Bill No. 68—Relating to pension matters and claims against counties.

AUSTIN, Chairman.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR SPEAKER: Your Committee on Rules and Regulations, to whom was referred the following resolution, introduced by Mr. McClellan:

That the Sergeant-at-Arms be instructed to post in conspicuous places in the rear of the Assembly Chamber three notices, to this effect: That visitors are requested not to use the seats or desks of members without invitation from the members.

Beg leave to report the following as a substitute.

That the Sergeant-at-Arms be instructed to post in conspicuous places in the rear of the Assembly Chamber three notices, to this effect: That visitors and attachés are requested not to use the seats or desks of members without invitation from the members; and that the Sergeant-at-Arms be charged to enforce this order, under supervision of the Speaker.

And recommend that it be adopted.

CHYNOWETH, Chairman.

Adopted.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 62—An Act making an appropriation to pay the claim of Thomas Hatch

Also: Assembly Bill No. 303—An Act to authorize the Board of Fish Commissioners of the State of California to purchase or construct a gasoline launch, to aid in carrying out the purposes of said board, and appropriating money therefor

Also: Assembly Bill No. 482—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, and to appoint a secretary therefor, to assist said court in the performance of its duties, and in the disposition of numerous causes pending in said court, and to provide for the compensation of said commissioners and secretary, and to appropriate money therefor.

Also: Assembly Bill No. 206—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in lithographing maps, etc, for the Commissioner of Public Works.

Also: Assembly Bill No. 207—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in furnishing maps to the State Mining Bureau.

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

Also: Assembly Bill No 20—An Act appropriating money to pay the expenses of collecting, preparing, forwarding, installing, and maintaining, taking down and returning an exhibit of the products of the State of California at the Tennessee Centennial Exposition, to be held in Nashville in 1897, and to provide for commission, secretary of commission, and for the pay of the secretary thereof—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same.

GUY, Chairman.

Mr. Valentine was granted, by unanimous consent, permission to withdraw Assembly Bill No. 20.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897.

MR SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 3, relative to the free coinage of silver—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

GOODHUE, Chairman.

PETITION.

Mr. Anderson submitted a petition from Solano County citizens, and asked that it be published in the Journal.

So ordered.

Following is the petition:

To the honorable the Senate and the Assembly of the State of California

GENTLEMEN: The undersigned citizens of Benicia, California, who are engaged in industrial pursuits, respectfully remonstrate against the passage of any law which brings convict labor in competition with free white labor. We respectfully remonstrate against the passage of any measure providing for the crushing of rock at Folsom Prison, to be used for street or concreting purposes within any town or city of the State. We object to this because there are a large number of our fellow citizens now engaged in quarrying stone and preparing it for macadamizing and concreting purposes in the various cities of this State, and who thus support their families, and such labor cannot compete with convict labor in that line.

We do not object to the sale of rock by the State for county road purposes

(Signed:) G. Rueger, merchant, Benicia, G. W. Stevens, merchant, Benicia; W. A. Moore, dentist, Benicia; W. H. Garretson, merchant, Benicia; W. F. Rankin, J. S. Stevens, F. P Bauer, J N. Houghton, John Coleman, Richard Massle; Adolph Rummelsburg, merchant; T. F. Burns, R. O. Watkins, Jacob Hertzburn, Herman Hertzburn, Volney Demorest, John Frasier, Joseph Green, A Hass, J. T. Bennett, J. L. Sanborn, M. V. Gaulart, J. M. L. Gregory, B. Randolph, A. J. Lemos, E. M. Billings, J. G. Bogert, John E. Glendon, W. P. Lepper, A. Chisholm, R. Singler, J. E. Macdonald, E. E Southworth, William Hearn, John B. McNerney, R. Grogan, W. J. Fitzpatrick, J Smith, N. N Elliott, D. Murphy, Joseph Davend, C. King, Otto G. Frank, E. A. Hastings, H. Jameson; F. J. Strum, jeweler, B. J. Drahic, A. Reeve, M. P. Farra, A. J. Valle, C. J. Enos; L. W. Kuhland, merchant; W. B. Gibson, Frank Donegan, A J. Smith, W L. Crooks, F W. Blanchard, W. D. Hyde, F. Manley, Kullman, Salz & Co, Will E Rulofson, James A. Kearney, M. S. McDonell, E C. Stevens, L. H. La Shells, Charles Stenson, W. Rhal, T. Burk, A F. Joseph, J. O Clark, H. Powers, F. Brader, M F. Costa, M. McSweeney, T. Enos, P. McLaughlin, John Kneale, D. A. Cameron, E. Estey, M. Harrington, James H. Mannix, D. J. Hoey, T. Haverty, D M. Watson, S. A. McHugh J. McConologue, William Healy, T. O'Connor, Charles M. Prince, J H. Prince, J. E. Prince, William Boyle, James A. Malone, Joseph F. Clyne, John Alger, Walter Bullard, W W. Jahnsen, James D. Glendon, O. W. Mellin, H. K. White, Peter Hansen, D. J. Quinn, Thomas F. Grimley, Nicholas Stans.

INTRODUCTION OF BILLS.

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

By Mr. Strain: Assembly Bill No. 645—An Act to amend Section 737 of the Political Code, fixing and providing for the salaries of the Superior Courts of the City and County of San Francisco and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, Yolo, and Calaveras, approved March 31, 1891.

Referred to Committee on County and Township Governments.

By Mr. Guy: Assembly Bill No. 646—An Act making an appropriation to pay the claim of James V. Hicks for expenses incurred in going to New York after A. L. Gibbs, a fugitive from justice.

Referred to Committee on Ways and Means.

By Mr. Dryden: Assembly Bill No. 647—An Act to provide for the establishment of a board of examiners for the California State Therapeutic Society and College.

Referred to Committee on Corporations.

By Mr. Aldridge: Assembly Bill No. 648—An Act to amend Section 2756 of the Civil Code, relating to the measure of indemnity in a fire insurance policy.

Referred to Committee on Corporations.

By Mr. Rubell: Assembly Bill No. 649—An Act to provide that County and Municipal Treasurers may deposit county and municipal funds in their charge in savings or commercial banks which have been approved by the Bank Commissioners.

Referred to Committee on Banks and Banking.

Assembly Bill No. 641 was ordered re-referred to Committee on Education.

RESOLUTION.

By Mr. Henry:

SACRAMENTO, CAL., January 30, 1897.

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for the sum of one hundred and twenty-nine dollars and sixty-three cents ($129 63) in favor of W. O Banks, Sergeant-at-Arms of the Assembly, from the Contingent Fund, to pay for articles as per attached bills:

State of California to W. O. Banks, Sergeant-at-Arms of Assembly, Dr.:

January 16—24 feet blue cord, 25c; 2 screw-eyes, 10c; labor, 75c		$1 10
16—Repairing basin, $2; one galvanized iron strainer for sink, $2 50		4 50
18—Bulletin board, painted and lettered		20 00
20—Key rings and keys		4 90
21—Washing towels for ladies' and gents' toilet		12 50
22—2½ dozen Globe files		27 41
25—Repairing locks and keys, and new keys for doors and desks		45 22
31—1,400 lbs. of ice		14 00
		$129 63

Bought of Tom Scott:

January 16—24 feet blue cord, 25c; 2 screw-eyes, 10c; labor, 75c	$1 10	
Labor, repairing basin	2 00	
One galvanized iron strainer, made to order, for slop sink	2 50	
		5 60

Bought of C. H. Rave:

January 25—Repairing locks and refitting keys	$2 50	
10 new keys	3 75	
Picking four locks	1 25	
13 keys	4 87	
4 keys	1 50	
1 new lock	1 25	
1 post office key	50	
2 closet keys	1 00	
Repairing 3 desk locks	1 00	
2 door keys	1 00	
6 door keys, room 70	3 00	
4 desk keys	1 50	
Key for closet	50	
9 drawer keys	3 25	
Repairing 2 locks, room No. 30	50	
Repairing door lock, room No 30	50	
4 door keys, room No. 73	2 00	
5 door keys, room No. 72	2 50	
6 door keys to Supreme Court	3 00	
3 drawer keys, room No. 72	1 12	
Repairing desk lock, and 1 key	1 50	
1 desk key	37	
Repairing lock, and 2 keys	1 00	
3 door keys	1 50	
2 drawer keys, post office	75	
1 drawer key, No. 72	37	
2 drawer keys	75	
2 door keys, 1 desk key, No. 70	1 37	
1 desk key, and picking lock	75	
1 desk key	37	
		$45 22

Bought of H. C Chipman :

January 18—Bulletin, 6x5 feet, complete, painted, lettered, and strapped		$20 00
Bought of Chas. Flohr ·		
January 6—4 keys to room 70	$2 00	
7—4 desk keys	1 00	
8—6 desk keys	1 50	
8—4 key rings	40	
		4 90
Mrs. Mary Wells:		
January 31—To washing towels for ladies' toilet and gents' toilet, and Sergeant-at-Arms' office		12 50
Bought of H. S. Crocker Company ·		
January 22—2⅛ dozen Globe files, @ $12 65		27 41
Bought of Union Ice Company		
January 31—1,400 lbs. ice, @ 1c		14 00

Ordered printed in Journal, and referred to Committee on Ways and Means.

Mr. Dibble moved that No. 10 or No. 11 on file, and all third-reading file, be postponed until Monday.

So ordered.

Mr. North moved to now take up first-reading file.

So ordered.

FIRST-READING FILE.

Assembly Bill No. 270—An Act to reduce the rates of fares on street railroads in cities, cities and counties, or towns, and to require the issuance of commutation tickets, for not less than thirty trips, at reduced rates.

Read first time, and ordered on file for second reading.

Assembly Bill No. 434—An Act to amend Sections 7 and 9 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 as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Read first time, and ordered on file for second reading.

Assembly Bill No. 473—An Act to add a new section to the Political Code, to be known and designated as Section 1889½, relating to the authorization and employment of a specialist in sociological education in counties, and cities and counties, and providing for the duties and execution of the work of such specialist.

Read first time, and ordered on file for second reading.

Assembly Bill No. 66—An Act to enable cities incorporated and operating under a charter framed under Section 8, Article XI, of the Constitution, to abandon and annul such charter, and organize under general laws.

Read first time, and ordered on file for second reading.

Assembly Bill No. 522—An Act to prohibit the making of contracts or the entry of judgment thereon in any particular or specific kind of money coined or issued by the United States.

Read first time, and ordered on file for second reading.

Assembly Bill No. 103—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Read first time, and ordered on file for second reading.

Assembly Bill No. 197—An Act to amend an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895, relating to voluntary insolvency.

Read first time, and ordered on file for second reading.

Assembly Bill No. 202—An Act to amend Section 977 of the Code of Civil Procedure, relating to the filing of papers on appeal to the Superior Court.

Read first time, and ordered on file for second reading.

Assembly Bill No. 289—An Act amending the Code of Civil Procedure of the State of California, adding a new section thereto, to be known and designated as Section 1408, making the expense of giving a bond by administrators, executors, trustees, receivers, and assignees an expense payable as an expense of administration.

Read first time, and ordered on file for second reading.

Assembly Bill No. 298—An Act to amend Section 737 of the Political Code.

Read first time, and ordered on file for second reading.

Assembly Bill No. 310—An Act to amend Section 1255 of the Code of Civil Procedure, relating to costs in condemnation suits.

Read first time, and ordered on file for second reading.

Assembly Bill No. 125—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered Section 1641, relating to the settlement of accounts of executors and administrators.

Read first time, and ordered on file for second reading.

Assembly Bill No. 293—An Act to amend an Act entitled "An Act to amend Section 10 of the Political Code of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

Read first time, and ordered on file for second reading.

Assembly Bill No. 294—An Act to amend an Act entitled "An Act to amend Section 7 of the Civil Code of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

Read first time, and ordered on file for second reading.

Assembly Bill No. 295—An Act to amend an Act entitled "An Act to amend Sections 10 and 134 of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

Read first time. and ordered on file for second reading.

Assembly Bill No. 186—An Act to amend Section 883 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Read first time, and ordered on file for second reading.

Assembly Bill No. 438—An Act to prevent the granting of franchises or privileges for the construction, extension, or operation of railroads over or upon county roads or highways by Boards of Supervisors of the several counties of the State of California.

Read first time, and ordered on file for second reading.

Assembly Bill No. 352—An Act authorizing the Secretary of State to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as Janitor's Clerk, who shall keep the accounts of the supply department, and making an appropriation for

the payment of his salary for the remainder of the forty-eighth fiscal year.

Read first time, and ordered on file for second reading.

Assembly Bill No. 44—An Act to establish and support a department of labor.

Read first time, and ordered on file for second reading.

Assembly Bill No. 391—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Read first time, and ordered on file for second reading.

Assembly Bill No. 376—An Act to appropriate money for the erection of additional buildings at the Preston School of Industry, at Ione, and for furnishing and equipping the same.

Read first time, and ordered on file for second reading.

Assembly Bill No. 377—An Act to provide for the construction of a reservoir for settling and storing water at the Preston School of Industry, and making an appropriation therefor.

Read first time, and ordered on file for second reading.

Assembly Bill No. 378—An Act to provide for certain improvements at the Preston School of Industry, and making an appropriation therefor.

Read first time, and ordered on file for second reading.

Assembly Bill No. 379—An Act to provide for the purchase of additional land for the Preston School of Industry, at Ione, and making an appropriation therefor.

Read first time, and ordered on file for second reading.

Assembly Bill No. 539—An Act to amend Section 487 of An Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Read first time, and ordered on file for second reading.

Assembly Bill No. 300—An Act to protect livery-stable keepers by making certain acts punishable as misdemeanors.

Read first time, and ordered on file for second reading.

Mr. North moved that Assembly Bill No. 522 be re-referred to the Committee on Judiciary.

Lost.

FIRST READING OF BILLS.

The following bills were ordered read first time:

Assembly Bill No. 482—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, and to appoint a secretary therefor, to assist said court in the performance of its duties and in the disposition of numerous causes pending in said court, and to provide for the compensation of said commissioners and secretary, and to appropriate money therefor.

Read first time, and ordered on file for second reading.

Assembly Bill No. 303—An Act to authorize the Board of Fish Commissioners to purchase or construct a gasoline launch, to aid in carrying out the purposes of said board, and appropriating money therefor.

Read first time, and ordered on file for second reading.

Assembly Bill No. 62—An Act making an appropriation to pay the claim of Thomas Hatch.

Read first time, and ordered on file for second reading.

Assembly Bill No. 206—An Act making an appropriation to pay the

claim of Britton & Rey, for expenses incurred in lithographing maps, etc., for the Commissioner of Public Works.

Read first time, and ordered on file for second reading.

Assembly Bill No. 207—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in furnishing maps to State Mining Bureau.

Read first time, and ordered on file for second reading.

RE-REFERENCE OF BILLS.

On motion of Mr. Caminetti, Assembly Bills Nos. 376, 377, 378, and 379 were ordered re-referred to Committee on Ways and Means.

On motion of Mr. Sims, Senate Bill No. 55 was ordered re-referred to Committee on Judiciary.

On motion of Mr. Cutter, Assembly Bill No. 636 was ordered re-referred to Committee on Public Library.

SPECIAL FILE.

Assembly Bill No. 405—An Act making an appropriation for improving the Capitol building and grounds.

Passed on file.

SECOND-READING FILE.

Assembly Bill No. 455—An Act to amend the Code of Civil Procedure, by adding thereto a new section, to be numbered Section 676, relating to conveyances under order of court.

Read second time, and ordered to engrossment and third reading.

Assembly Bill 456—An Act to amend Section 691 of the Code of Civil Procedure.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 457—An Act to amend the Code of Civil Procedure, by adding thereto a new section, to be numbered Section 811, relating to dissolution of corporations.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 458—An Act to amend Section 868 of the Code of Civil Procedure.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 459—An Act to amend Section 939 of the Code of Civil Procedure.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 460—An Act to amend Section 943 of the Code of Civil Procedure.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 461—An Act to amend Section 963 of the Code of Civil Procedure.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 462—An Act to amend Section 977 of the Code of Civil Procedure.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 463—An Act to amend Section 980 of the Code of Civil Procedure.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 464—An Act to amend Section 1490 of the Code of Civil Procedure.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 465—An Act to amend Section 1491 of the Code of Civil Procedure.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 466—An Act to amend the Code of Civil Procedure by adding thereto a new section, to be numbered Section 1593, relating to the rights of executors and administrators to bid at foreclosure sales in certain cases.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 467—An Act to amend Section 1906 of the Code of Civil Procedure.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 468—An Act to amend Section 1918 of the Code of Civil Procedure.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 469—An Act to amend Section 1991 of the Code of Civil Procedure.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 470—An Act to amend the Code of Civil Procedure by adding thereto two new sections, numbered, respectively, 2039 and 2040, relating to letters rogatory.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 332—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 46—An Act regulating the hours of labor in sawmills, shingle-mills, shakemills, and logging camps.

Mr. Dibble moved that the bill be recommitted to Committee on Labor and Capital, with request that it offer a substitute bill.

So ordered.

Assembly Bill No. 23—An Act entitled an Act to amend Section 1575 of the Code of Civil Procedure.

Read second time, and ordered to engrossment and third reading.

LEAVE OF ABSENCE.

Mr. Robinson was granted leave of absence until Monday noon.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 157—An Act to regulate the width of tires of wagons to be used on the public highways of the State of California.

Read second time.

The following amendments were submitted:

By the committee:

AMENDMENT No. 1.

Amend by striking out Section 4 of the original bill. Section 5 is numbered Section 4.

Adopted.

AMENDMENT No. 2.

In original bill, lines 28 and 29, amend to read as follows: "This Act shall take effect and be in force after January 1, 1900."

Adopted.

By Mr. Belshaw:

AMENDMENT No. 3.

Amend by numbering the last section Section 5.

Adopted.

Assembly Bill No. 196—An Act: Be it enacted by the Assembly in session, 1897, the Senate concurring, that the following Act be added to the road law of California, to be numbered Section 2737½, Article VIII.

Mr. Dibble moved to recommit the bill to Committee on Roads and Highways, to retain its place on file.

So ordered.

Assembly Bill No. 199—An Act to amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gate.

Re-referred to Committee on Roads and Highways, to retain its place on file.

Assembly Bill No. 251—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 397 thereof, relating to penalties for selling liquor to habitual or common drunkards and Indians.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 76—An Act to amend Section 261 of the Penal Code of the State of California, relating to the crime of rape, and what constitutes the same.

Read second time.

The following committee amendment was submitted:

Amend by striking out of Section 261, subdivision 1, the word "fifteen," and inserting the word "sixteen" in lieu thereof.

Adopted.

Ordered engrossed and to third reading.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 7—An Act to compel all depositaries of money and commercial banks to publish a sworn statement of all unclaimed deposits.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 283—An Act to change and permanently locate the boundary line between the counties of Butte and Yuba.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 306—An Act to provide for the management and operation of railroads above certain elevations.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 119—An Act authorizing certain corporations to loan and invest money, and regulating the same.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 8—An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors, and marines, in this State, who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889.

Read second time.

The following committee amendment was offered:

Amend by striking out of Section 5 the words "the sum of two dollars and fifty cents," and inserting the following: "a sum not exceeding five dollars"

Lost.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 286—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 45—An Act requiring every corporation doing business in this State to pay their employés, 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-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 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.

Read second time.

The following amendments were submitted:

By the committee:

AMENDMENT No. 1.

Amend by adding to Section 7, line 2, the words "or in checks negotiable at face value on demand."

Adopted.

AMENDMENT No. 2

Amend by striking out of Section 10, line 2, the word "five" and inserting the following: "seven"

Adopted.

By Mr. Soward:

AMENDMENT No. 3.

Amend by striking out Section 1 and inserting the following:

SECTION 1. Every person, partnership, or corporation doing business in this State shall pay the mechanics and laborers employed by each of them the wages earned by them respectively as the same become due. Every such person, partnership, or corporation shall select a day in each week or month, which shall be known as "pay day," upon which they respectively shall pay such mechanics and laborers so employed by them respectively the wages then to become due to them and to each of them, or which were theretofore due them and yet remain unpaid

SEC 1½. A violation of any of the provisions of section one of this Act shall entitle each of the said mechanics and laborers to a lien on all the property of said person, partnership, or corporation for the amount of their wages, which lien shall take preference over all other liens, except duly recorded mortgages or deeds of trust, and in any action to recover the amount of such wages, or to enforce said lien, the plaintiff shall be entitled to a reasonable attorney's fee, to be fixed by the court, and which shall form part of the judgment in said action, and shall also be entitled to an attachment against said property. An unrecorded deed shall be no defense to such actions.

Lost.

By Mr. Belshaw:

AMENDMENT No. 4.

Amend by striking out of Section 1, line 3, the words "to within fifteen days of the date of such payment," and inserting the following: "during the preceding month."

Adopted.

By Mr. Soward:

AMENDMENT No. 5.

Amend by adding after Section 1 the words:

SEC. 1½. A violation of any of the provisions of section one of this Act shall entitle each of the said employés to a lien on all the property of said corporation for the amount of their wages, which lien shall take preference over all other liens, except duly recorded mortgages or deeds of trust, and in any action to recover the amount of such wages, or to enforce said lien, the plaintiff shall be entitled to a reasonable attorney's fee, to be fixed by the court, and which shall form part of the judgment in said action, and shall also be entitled to an attachment against said property. An unrecorded deed shall be no defense to such actions.

Adopted.

By Mr. Belshaw:

AMENDMENT No. 6.

Amend by striking out of Section 4, line 4, the words "within fifteen days of the date of such payment," and inserting the following: "during the preceding month."

Adopted.

By Mr. Valentine:

AMENDMENT No. 7.

Amend Section 1 by adding the words "*providing*, that any employé may, by special contract with such employer, make other arrangements for his said payment."

Adopted.

Mr. Belshaw moved that the further consideration of Assembly Bill No. 45 be continued, and made a special order for Tuesday morning, immediately after reading of the Journal.

So ordered.

At twelve o'clock and twenty-five minutes P. M., Mr. Guy moved that the hour of adjournment be extended one hour.

So ordered.

Assembly Bill No. 316—An Act to provide for increasing the efficiency of fire departments within municipalities of the first class in the State of California.

Read second time, and ordered engrossed and to third reading.

At twelve o'clock and forty minutes P. M., the Speaker called Mr. Cutter to the chair.

Assembly Bill No. 130—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891, relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance and corporations hereafter to be formed to conduct such insurance.

Read second time.

Pending consideration, Mr. Guy moved that the bill be passed, to retain its place on file.

So ordered.

Assembly Bill No. 123—An Act to amend Section 634 of the Political Code, in relation to insurance, approved April 1, 1878.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 1, line 4, by inserting before the words "to register" the words "on any plan." Also, same section, line 6, by striking out the words "subject to the terms and," and inserting in lieu thereof the words "in accordance with the."

Adopted.

AMENDMENT No. 2.

Amend by striking out of Section 1, line 20, the words "in the state treasury."

Adopted.

AMENDMENT No 3.

Amend by striking out of Section 1, lines 21 and 22, the words "when they must remain as a special security for the benefit of such registered contracts," and inserting the following: "with the Treasurer of State, and such deposit shall be received by the Treasurer in his official capacity in trust for the benefit of such registered contracts."

Adopted.

AMENDMENT No 4.

Amend by striking out of Section 1, lines 32 and 33, the words "in the state treasury," and inserting the following: "with the State Treasurer."

Adopted.

Assembly Bill No. 123 ordered to engrossment and third reading.

Assembly Bill No. 128—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:

An Act to enable any county, city and county, city, or town to lease property to any associations of veteran soldiers and sailors or marines.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any county, city and county, city, or town is authorized to lease, for a period not exceeding twenty years, to any association of veteran soldiers, sailors, or marines who have served the United States honorably in any of its wars, and who are organized for patriotic, fraternal, and benevolent objects in such county, city and county, city, or town, to be used for the purposes of such association, any lot or public building, or any part thereof, belonging to said county, city and county, city, or town, and not required for public use, at a nominal rental, to be fixed by the Board of Supervisors of such county, city and county, or by the Common Council or Board of Trustees of such city or town.

Adopted.

Assembly Bill No. 128 ordered engrossed and to third reading.

Senate Bill No. 9—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to powers of the Boards of Trustees of certain cities.

Read second time, and ordered engrossed and to third reading.

Mr. Belshaw moved that the Committee on Constitutional Amendments be requested to report back, Monday morning, Assembly Constitutional Amendment No. 23.

So ordered.

Assembly Bill No. 182—An Act to authorize any city or city and county of this State to take its census.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 127—An Act to regulate medical practice, to prevent blindness in infants.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 89—An Act to amend an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895, by amending Sections 6 and 69 thereof, relating, respectively, to the appointment of a time for the election of an assignee, and to costs in cases of involuntary insolvency.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of line 16, printed bill, the word "fifteen" and inserting in place the word "eight."

Adopted.

AMENDMENT No 2.

Amend by striking out of line 16, printed bill, the word "twenty," and inserting the word "fifteen" in place thereof.

Adopted.

AMENDMENT No. 3.

Amend by striking out all of Section 3.

Adopted.

Read second time, and ordered engrossed and to third reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Caminetti: Assembly Bill No. 650—An Act to provide for the construction of State highways in the several counties of the State, and levy a permanent rate of taxation therefor.

Referred to Committee on Roads and Highways.

By Mr. Sanford: Assembly Bill No. 651—An Act making an appropriation for legislative printing for the thirty-second session of the Legislature.

Referred to Committee on Ways and Means.

By Mr. Coombs: Assembly Bill No. 652—An Act to encourge fiber culture, and to make an appropriation therefor.

Referred to Committee on Agriculture.

PETITION.

Mr. Goff presented the following petition from citizens of Redlands, and asked that it be printed in the Journal.

So ordered.

To the honorable members of the California State Legislature·

GENTLEMEN: We, the undersigned citizens of the City of Redlands, earnestly petition your honorable body not to pass any law that will deprive a town or city of the right to prohibit by vote the sale of intoxicating liquors within its limits

(Signed·) Samuel Lelean, Eli Baker, Will S. Clark, Mrs W. S. Clark. Mrs. B. C. Meskimons, H. S. Scott, C. W. Osborn, Mrs L Iverson, John Wessel, John R. Campbell, T. J. Reynolds, Zber Camp, E. W Spackman, T P Minor, J. H. Dinwoodie, Elizabeth Hess, S. H. Washburn, F. W. Wiedey, Mrs. Cora Schermerhorn, G B. Kennard, C G. Rohen, Mrs. H. Biggin, I. X. Johnson, W. A Truslow, Mrs Charles Rowe, A. Underwood, B. C Meskimons, E Hawkins, Edna Hawkins, Henry Van Lenner, E. Tebbutt, Catharine Stewart, Ellen M. Flint, B. Van Lenner, G. W. Waggoner, G. W. Higbey, E. A. Bush, W. Bush, J. P. Rogers, Mrs. McClare, J. K Inman, Hattie O'Kelly, Mattie Inman, Mrs. M. J. Hasking, M. C. Day, Thomas B. Inch, B. G. Holmes, Mrs. O. C. Wheeler, R. G. Rohrer, Curt Terry, A. M. Foster, Charles Rowe, J. D. Clark, John H. Allin, Mrs. Minnie Flanders, J. A. Osburn, Mrs. J. D Clark, Charles W. Kennard, Mrs Charles W. Kennard, H. A. Horton, L. M. Bishop, E. S. Libby, Mrs O. S. Isbell, Mrs. B. Brooks, B. H. Jacobs, P K. Shaffer, M. C. Gains, Josie A. Melville, W. Melville, B. R Owen, H. Biggin, E.W Curtiss, C. R Hubbard, Jas. Giangiobbe, H E. Gates, E. Hardwick, Susanna Goode, E. A. Timmons, A E Norris, A. B. Leonard, E. M Richcreek, H. J. Sprague, Ira G. Sprague, J. M. Poole, John Hough, Chas. McClair, C. Rionyeoni, Mrs. Avis E Ashby, Mrs. E. S. Twigg, E. E. Talbert, Lizzie Talbert, Jennie Twigg, Sam Austin, Mrs Anna Hilands, David Curtiss, H. W. Timmons, Charles Spates, O. M. Huntington, L. E. Huntington, I. E. Wheeler, A. Edwards Jr., M E. Edwards, Gertrude Flint. E. M. Wheeler, I. A. Edwards, Henry Fuller, L. A. Lebean, N. Leo Liteun, S R Thorne, August Frœm-

ming, Samuel Majors, M. F. Clute, O. H. Ensign, Geo. W. Thompson, Jesse Simpson, Ora Simpson, Jennie Luther, H. P. Luther, S O. Demoody, Inez Thompson, H. B. Curtiss, Mrs. Treadwell, R. W. Mateer, W. M. Foster, M. A. Collins, L. J. Dike, Mrs. B. H. Jacobs, Mrs. J. M. Beelman, Wm. E. Sibley, S. L. C Hall, José Mayo, J. J. Hardaway, Richard Geo. Dilley, N. C Sherburne, Dr. J. Herbert Reeve, Mrs. S. A. Welter, Mrs. Cleveland. N. J. Leonard, B. R. Owen, Constance Mery, E. C. Edwards, M. L. Dike, M. Roush, E. J. Inwood, H. K. Vann, G. N. Dike, E. T. Scott, Mrs. A. M. Scott, J. H. Plank, J. C. Crisman, M. J. Crisman, Nellie Wright, Nora Armstrong, Byron McCullan, J. O. Grugy, Mrs Lyda Gregg, J. W. Rogers, Emma Bush, W. T. Morris, F. E. Hulbert, Willard Canaday, Alice Canaday, Mrs. Nellie Rogers, A. Isbell, Mrs. John A. Campbell, Mrs. S. H. Wright, Mary L Joseph, Grace Rogers, H. H. Smith, Maude Crisman, Mrs. M. T. Morris, Mrs. E. Folger, Maria E. Joseph, M. Smith, Mrs. C. Smith, M L. Sassan, Mrs Pacmier, J. T Hulburt, J. Z. Kemis, M. Hamilton, Mrs. Gaines, Emory Harford, A E Delnorth, W. S. Crawford, Mrs. W. S. Crawford, C. R. Paine, W. D. Clark, M. L. Linn, E. R. Martin, Hugh Lynn, J. W. Symmes, G. A. McClellan, C Truslow, Leta A. Lodge, L. M. Winston, L. Lodge, F. R. Farquher, E. W. Brooks, H. E. Brooks, C. E Lehman, Mrs D. E. Lehman, Grace Harford, Frank H. Wood, Mrs. A J. Wood, F. A. Spencer, H. B. Lashlie, A. J. Wood, Edith B. Edwards, Mrs. I. L. Lyon, W. H Sargent, H. C. Sargent, Mrs. W. H. Sargent, Mrs C. M. Sargent, L. L. Hites, E. C Newton, J B. Brew, L M. Sargent, F. L. Sargent, D. C. Reed, Mrs. S. C. Hites, Ella Morrison, B. P. Dugan, W. F. McClarren, E. A. Sargent, James Ernisse, R. C. Cunningham, J. F. Hamilton, Mrs. J F. Hamilton, Mrs. M. E. McClarren, Harry E. Stotz, A. J. Whitney, J S. Edwards, Mrs. A. M. Scott, J. C. Hall, Mrs. A. J. Whitney, Mrs F B. Farwell, Mrs. P. A. Chambers, C. J. Curtis, Mrs. M. C. Curtis, S Thurman, C. N. Baxter, Lewis B Avery, Mrs. S. Thurman, Mrs. E. B. Seymour, A. A. Underhill, S L. Gregg, Martha L Hooton, Mrs T. E. N. Eaton, W. G. Williams, Mrs E G Judson, E Bedford, Alice P. Edwards, Mrs. H. H. Daniels, Mrs Cass Gaylord, Gertrude D. Willows, Mrs. W G. Williams, Mrs. E. P. R. Crofts, Mrs. Belle Canterberry, Mrs. A. H. Corman, Mrs. Jennie M. Reeves, Mrs. John P. Fisk Jr., Mrs. Jas S. Dean, Mrs. A. K. Smiley, Mrs. A. M. Phelps, F Louise Phelps, Kate M. Corman, D Morey, C. H. Jackson, C. L Hayes, John P. Fisk Jr., John S Phelps, James S. Dean, Mrs. Sarah J. Morey, Edwin T. Painter, Geo. T. Wilshire, C. S. Harris, F. E. Watson, Mercy Whitcomb, A. A. Meek, Fred A. Smiley, R. J. Schemerhorn, E. W Pearson, Mrs A. E. Baker, Miss Mary Pearson, Gder Martens, Mrs. J. A. Reeves, J. L. Wilson, Edgar H. Catterlin, Mabel L. Catterlin, Mary G. Harris, Elvira Lindberg, Virgil D. Houston, Mrs. F. E. Hill, F. E. Hill, Rebekah Osbun, E S. Fook, J A. Weitsell, C. C. Beatty, W. R. Heacock, A. Humphreys, W L. Fowler, W. F. Harper, Chas. N. Kopf, H. K. Pratt, Mrs. Dr. Lashlie, R. Waite, M. Lanphers, J. W. Lewis, E. L. Ferrel, A. E Frost, H C Malone, H. W. Luther, J. W. Marvin, Jennie Frost, Mrs H. C Malone, John L. Spears, A. L Malone, Wm. Fowler, Arthur F. Johnson, Denin E. Ferguson, J. M. Lynn, A. Humphreys, T. E. Sanford, M. M. Fauber, Mrs. Levison, S. C. Lord, Mrs. L A. Kingham, Wm. Knight, Orange H. Spoor, S A. Grover, Joseph Ogden, W. J. Gates, J. U Hoag, Jerome O. Boger, Walter D Smith, Mrs. E. T. Morrow, V W. Underwood, Geo. H. Gowland, E P. Watkins, E S. Ogden, Mrs J. W. Garrison, Mrs. F. T Gernich, Agnes H. Park, Mrs E. H Spoor, Mrs. J. G Hale, Mrs. C. H. Lathrop, Mrs A. O. Childs, Mrs. H. W. Sharpless, L. B Smith, A. E. Brock, C H. Lathrop, C. M. Patterson, E. M. Boger, Mrs. Lizzie M H Warner, H. Clinton Smith, Alberta Anderson, Anna Keagle, Thomas Dobbs, G. H. Wilkinson, R M. Reid, A Eagan, P. H. Covington, Tom Wilson, W. W. Sommerville, L. B. Bean, J. B. Glover, H E. Sherman, J. H. Williams.

Total number of names, 367.

CONCURRENT RESOLUTIONS.

By Mr. Shanahan:

ASSEMBLY CONCURRENT RESOLUTION No. 3.

Be it resolved by the Assembly of the State of California, the Senate concurring:

WHEREAS, Many bravely volunteered when called upon by the State of California, between the years 1850 and 1859, to serve as soldiers in suppressing the hostile Indians then waging war against the whites; and

WHEREAS, Most of those who thus served were regularly enlisted and mustered, and the muster-in and muster-out rolls of the companies in which they served were placed in charge of the Adjutant-General of the State of California, the proper custodian of such papers; and

WHEREAS, The State of California employed one John Mullan, of Washington, D. C., to collect certain moneys alleged to be due the State of California from the United States; and

WHEREAS, The Adjutant-General, Treasurer of State, and Controller turned over to and placed in the hands of said John Mullan all of said muster-rolls, books, records, and accounts; and

WHEREAS, None of those who thus served can now obtain any information as to their services, by reason of these rolls, books, and records not being in the hands of the proper custodians thereof; therefore, be it

Resolved, That the Adjutant-General, Treasurer of State, and Controller be and are hereby ordered to immediately demand and obtain from said John Mullan all of the aforesaid muster rolls, records, books, and accounts, to place them in their proper receptacles, where the people of this State can have access to them; and said officers are further instructed to furnish any interested party any information sought for that aforesaid records may contain; and be it further

Resolved, That the Adjutant-General is hereby instructed to complete or make perfect any rolls of those who rendered service in the Indian hostilities in this State between the years 1850 and 1851, the same as he is instructed to do with those who served in the War of the Rebellion from 1861 to 1865.

Referred to Committee on Federal Relations.

Also:

ASSEMBLY CONCURRENT RESOLUTION No. 4.

Be it resolved by the Assembly of the State of California, the Senate concurring

WHEREAS, The State of California did, by an Act approved in 1852, and also April 25, 1857, enact laws whereby those who served the State in the capacity of volunteer soldiers in the suppressing of hostile Indians in the various parts of the State were to be paid for such services by the issuing to them certain bonds, which bonds were payable when the Government of the United States appropriated to the State of California any sums for such purposes; and

WHEREAS, There are still remaining a few of those that thus served who have never received the benefits of said laws of this State; and

WHEREAS, There is a doubt existing in the minds of the present officers of this State, who are, by their acts, constituted a board of examiners for such claims, as to their right to adjudicate the claims presented to them; therefore, be it

Resolved, That the Treasurer of State, Controller, and Quartermaster-General be and are hereby instructed to examine and audit any and all claims presented to them under the provisions of the Acts approved in 1852, and April 25, 1857, and to report to the Governor on or before December 15, 1897; and a sufficient sum, not exceeding $——, is hereby appropriated, out of any funds in the treasury not otherwise appropriated, to meet the expenses of printing the bonds, paying clerk hire, and other incidental expenses.

Referred to Committee on Federal Relations.

JOINT RESOLUTION.

By Mr. Shanahan:

ASSEMBLY JOINT RESOLUTION No. 22.

By the Assembly of California, the Senate concurring.

To the Congress of the United States:

We, your memorialists, respectfully represent that during the years from 1847 to 1857 wars were made on the white settlers of the territories of Oregon, Washington, Idaho, and Northern California, and historically known as Cayuse War, Rogue River disturbances, the Yakima and Rogue River Indian wars, and Modoc and other wars It was, in fact, a collusive effort on the part of all the Indian tribes of the North Pacific Coast to exterminate the American settlement

During these dark days of the little colony on this coast, one thousand eight hundred men, women, and children were brutally massacred by these Indians. The territorial authorities called for volunteers to suppress these Indians. These volunteers furnished their own horses, guns, and ammunition. They were very poorly clad, and often went days without food.

Forty and fifty years have come and gone since these memorable struggles, in which over one hundred battles were fought, and the very existence of the settlers was threatened. All told, seven thousand of these brave pioneers, at one time or another, enlisted in defense of this land. The majority of them have now gone to their long home. The remnant that remains is a relic of the past, and are aged, infirm, and most of them poor and destitute. To them it seems strange that others who fought in wars before them, and those who fought in wars subsequent to these services, should be pensioned, and they left unrecognized

We earnestly plead their cause. Their claim is but a just one, and appeals to every patriotic citizen of America.

We earnestly ask Hon. Thomas B. Reed, Speaker of the House of Representatives, and also members of the same, to secure passage at this session of Pension Bill No. 2281 as it came to the House from the Senate. This Government never had more loyal citizens, truer friends, nor more heroic and nobler defenders than these pioneers and veterans; therefore, be it

Resolved, That our Representatives in Congress each be forwarded a copy of this memorial and requested to use their utmost endeavor in securing the justice herein prayed for.

Referred to Committee on Federal Relations.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 1, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Henry, Hill, Houghton, Hudson, Jones, Keables, Kelly, Kenyon, Lacy, Leavitt, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, Pohlman, Power of Placer, Power of San Francisco, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

The reading of the Journal of Saturday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of January 29th was approved.

PETITIONS—(OUT OF ORDER).

Mr. Guy presented the following petitions, with request that they be published in the Journal.

So ordered.

SAN DIEGO, CAL., January —, 1897.

To the honorable the Legislature, and the Governor of the State of California:

Petition of the Board of Supervisors of the County of San Diego in favor of the passage of the bill to establish a State Normal School in the County of San Diego.

WHEREAS, The Board of Supervisors of the County of San Diego is not now in session, and will not be in session under the law until the first Monday in February, 1897; and

WHEREAS, Also, the members of said Board of Supervisors wish to express their interest in the bill now pending in the Legislature of this State for the establishment of a State Normal School in this county;

Now, therefore, we, said Supervisors, pray your honorable Legislature to pass said bill, and we pray your Excellency the Governor to approve the same

(Signed:) J. M. Dodge, Clerk of Board of Supervisors; H. M. Cherry, Supervisor

first district; C H. Swallow, Supervisor second district; Wm. Justice, Supervisor fourth district, John Griffin, Supervisor fifth district; James A. Jasper, Supervisor third district.

Also:

To the honorable the Legislature, and the Governor of the State of California:

WHEREAS, A bill is now pending in each branch of the State Legislature for the establishment of a State Normal School in the County of San Diego; and said bill is, we believe, in the line of sound policy;

Now, therefore, the undersigned officials, business men, and property owners of the City of San Diego respectfully pray your honorable Legislature to pass said bill, and your Excellency the Governor to approve the same

(Signed.) Philip Morse, president Chamber of Commerce, R. V. Dodge, first vice-president Chamber of Commerce; R. M. Powers, second vice-president Chamber of Commerce; Irving B. Dudley, director Chamber of Commerce; J. E. O'Brien, treasurer Chamber of Commerce; H. P Wood, director Chamber of Commerce; George W. Marston, director Chamber of Commerce; George H. Ballou, director Chamber of Commerce; F F. Wright, Samuel G Ingle, Merchants and Manufacturers' Association; A. Dorsey, vice-president Merchants and Manufacturers' Association; J E Fisher, president Merchants and Manufacturers' Association; E. Winsby, Merchants and Manufacturers' Association; W. L Frevert, for Chadbourne Furniture Company, Merchants and Manufacturers' Association; W. H. Newell, Merchants and Manufacturers' Association; George M. Hawley, president Board of Trade; Julius Wangenheim, treasurer Board of Trade; Samuel F. Smith, secretary Board of Trade; Simon Levi, Board of Trade; A. Blochman, vice-president Board of Trade; Thomas Jensen, Charles A. Bailey, William N King, McKenzie, Flint & Winsly, merchants; M. C. Nason & Co., commission; E Keppler, packer and shipper: E G. Dulin & Co., merchants; S T Johnson, agent Pacific Coast Steamship Co.; Harl S Cliff, merchant; Robert J. Smith, wool, hides, etc.; Omer C. Smith, commission merchant, George B. Watson, seed merchant; Klauber & Levi Co., wholesale grocers; Schiller & Murtha, merchants; W. A Hawkins, S. D. & C Transfer Co; Blochman Banking Co; C. H Glaser, merchant; B D. Clugston, merchant; J S. Johnstone & Sons, merchants; E. M Burbrek, merchant; O. J. Stough capitalist; S Winnford, merchant; C. S Kimball, manager Levi Transfer Co.; Samuel T. Fox, real estate dealer; The California Mortgage, Loan, and Trust Co, E. W. Newlin, secretary; W B. Asher, merchant; T. B. H. Stenhouse, L Sensenbrenner, cigar manufacturer, G. W Hawkins, Diamond Carriage Co.; West Coast Lumber Company, W. H Newell, manager; The San Diego Union Co, Thomas Gardner, manager; San Diegan-Sun, by F. D Waite, Edward Ivinson, president Merchants' National Bank; H. G. Gwyn, postmaster, Coronado, Cal; First National Bank of San Diego, by J E. Fishburn, cashier; Bank of Commerce, by G. W. Jorres, cashier; Charles W. Pauly, member Board of Delegates, T. J. Daley; San Diego Abstract Co, T. J. Daley, manager; San Diego Savings Bank, M. T. Gilmore, cashier, John P Forward, County Recorder; E E. Shuffer, County Auditor; J. W. Thompson, County Treasurer; Frank A Jennings, County Sheriff; A F. Cornell, County Tax Collector; Thomas Holcomb, County Clerk; John P. Burt, County Assessor; Edwin M. Capps, City Engineer; E. H Dixon, secretary Board of Public Works; T. J Powell, City Tax Collector; Nat. R Titus, City Auditor; J W. Branning, Chief of Police; H. M Kutchin; G. H. McMillan, commercial agent Southern Pacific Co.; M. D. Arms; M. D. Arms, real estate; C. W. Chappel, real estate; Edward P. Mulvey, grocer; Jesse Gillmore, 1766 Front Street; R B. Bowles, clerk; Gillmore & Co, real estate agents, 1016 Fourth Street, Chas. D. Long, broker, corner Fourth and D Streets; J A Altamirano, Jr, manager San Marcos Land Co.; H. B Keeler, agent Santa Fe Route; E. Strahlmann, druggist; M L. Cardell, real estate; F. A Conover, insurance agent; Damel E. Boone, L. E. Corbin, druggist; C. D. Pollock, No. 735 Harrison Avenue; San Diego Electric Railway Co, by J. B. Flint, secretary; Russian Tea Co, by John N. Flint; San Diego Water Co., by Jos. A Flint, secretary; J S. Hill & Co.; Hill, Flint & Perrin; Darrow-Pattison Music Co; M. A Lesem, dry goods; Doig & Hutchison, provisions; Hamilton Brothers, grocers; H. M. Knapf and J L. Peters, fruit dealers; Flassig & Erusting jewelers; K. C. Naylor & Son; Doyd & Statul, crockery and glassware; L. N. Craig, grocer; J. A. Painter; Nye & Nissen; W. H. Doud, merchant, Frandzen, Baumgardner & Co, printers; Gus Kellogg, Kellogg & Mitchell Co; M. W. Jinks, jeweler; Stephens & Son, stationers; Chas A. Chase, druggist, Loring & Co., stationers; Sam Brust, cigars and tobacco; Kuhn Bros., lion clothing store; J H. Smith; San Diego Hardware Co., Fred M Gazley, secretary; J. A Heath, ship chandler; Speyor Bros., dry goods; Ferris & Ferris, druggists, Fred Creelman, secretary E. Ry. Co; Chas. W. Cole; S. W. Bone, dry goods; Chas S. Hardy, meats; N. D. Nichols & Co, sporting goods, The Hamilton Co., hardware; W. E Hadley, Horton House, The Sell Grocery Co.; Barker Burnell, curiosity store; Jno. Egan, manager W. U. Tel. Co.; The San Diego Paint Co.; J. R. Beardsley, agent W. F & Co's Express; E. S Torrance, Judge Superior Court; A. G. Gassin, Lt.-Col. A. D. C., N G. C.; D. C. Reed, attorney at law; Jas. A. Gibson, lawyer.

SPECIAL ORDERS.

By Mr. Burnham: Resolution relating to the duties of County Auditors.

The Speaker ruled the consideration of the resolution out of order.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.:

Assembly Bill No 264—An Act to amend Section 172 of the Civil Code, relative to the management and control of community property.

Also: Assembly Bill No. 454 (Substitute for Assembly Bill No. 27)—An Act to amend Section 1 of an Act entitled "An Act for the further protection of stockholders in mining companies," approved April 23, 1880

Also: Assembly Bill No. 40—An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays.

AUSTIN, Chairman.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing bodies, and repealing conflicting Acts.

Mr. Mead moved that the bill be referred to a select committee of one, to amend as follows:

In line 9 of Section 1 of printed bill strike out the word "county" where it occurs next following the word "any," and the words "or district" at the end of the same line.

In line 16 of Section 1 of the printed bill strike out the word "county" next following the word "the." Insert the word "or" between the words "city" and "town," and strike out the word "or" where it occurs as the last word of said line 16.

In line 17 of Section 1 strike out the word "district." Strike out Section 2, and insert the following in place thereof:

SEC. 2. And such franchise shall also contain a section or provision requiring the grantee or grantees thereof to file with such Common Council or Board of Supervisors, or legislative or other governing body, within not more than twenty days after the passage and approval of such franchise, a bond in the sum of not less than ten thousand dollars as liquidated damages, with not less than two sureties, who shall be residents and freeholders of the city, or of the city and county, in which such franchise is granted, and which bond shall be conditioned upon the faithful performance of, and compliance with, each and every condition and requirement in such franchise, on the part of such grantee or grantees, or their successors and assigns, and such bond shall be subject to the approval of such Common Council, Board of Supervisors, or other governing body. It shall contain a paragraph worded substantially as follows:

"And it is hereby expressly agreed that, from the nature of the case and the premises, and from the character of the said franchise and its provisions and the covenants therein contained to be performed by the grantee therein named, it would be impracticable and extremely difficult to fix the amount of actual damages that would be sustained by the said city —— of —— in event of a breach of the condition of the above obligation, and it is expressly agreed, therefore, between the obligor and obligee that the sum of —— thousand dollars shall be, and shall be presumed to be, the amount of damages sustained by said city —— of —— by any breach of the conditions of said obligation."

In the second line of Section 4 of printed bill strike out the word "county."

In the third line of Section 4 insert the word "or" between the words "city" and "town," and strike out the words "or district" following the word "town" in same line.

At the end of line 44, Section 1, of the printed bill, next following the word "made," insert "*provided*, the Board of Supervisors, Board of Trustees, Common Council, or other governing or legislative body may provide, as a condition of such franchise, that the payment of said percentage shall begin at any time not less than five years after the franchise is granted, if such franchise is a renewal, or substantially a renewal, of a franchise already in existence."

Following the last word of line 8, Section 3, printed bill, insert "*provided*, no franchise can be surrendered without the consent of the Board of Supervisors, Board of Trustees, Common Council, or other governing or legislative body of the city and county, city, or town, granting such franchise"

Next following the last word of Section 1, printed bill, "*and provided further*, that the governing power may reject any or all bids."

The question being, "Shall a select committee of one be appointed to amend the bill?"

So ordered.

The Speaker appointed Mr. Mead as such committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing bodies, and repealing conflicting Acts—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.

MEAD, Committee.

Report of select committee adopted.

Assembly Bill No. 396 ordered to reengrossment and printer.

PETITIONS.

Mr. Soward presented the following petition, and requested that it be published in the Journal.

So ordered.

To the members of the California Assembly:

GENTLEMEN: We, the undersigned citizens of the Eleventh Agricultural District, most earnestly petition your honorable body to make appropriations for the several agricultural districts of this State, as provided for in Assembly Bill No. 31. And your petitioners will ever pray.

(Signed:) G. W. Thompson, ex-President Eleventh Agricultural District; J. S. Bransford, ex-President Eleventh Agricultural District; J. S Carter, President Eleventh Agricultural District; J. R. Murray, Secretary Eleventh Agricultural District; Jacob Stephan; B Schneider, druggist; C. J. Lee, merchant; C. E. McLaughlin, Superior Judge; F. G. Hall, editor National Bulletin; W. J. Edwards, Plumas House; S. J. Smith, jeweler; W. J Schneider, merchant and farmer; A. J. Ford, dentist; R. W. Flournoy, farmer; J. T. Spooner, clerk; W. G. Ford, merchant; W. M. Richards, Recorder; H. P. Wormley, reporter, Joseph McChesney, M. D.; W. J. Miller, merchant; O. W. Kiddie, County Surveyor Plumas County; J. V. Parks, Jr., Principal of Schools; A. T. Swingle, stagedriver; J. W. Dempsey.

Referred to Committee on Agriculture.

Mr. Hudson presented the following petition, and requested that it be published in the Journal.

So ordered.

To the Assembly of the Legislature of California:

We, the undersigned residents of Pacific Grove, in the County of Monterey, California, respectfully ask your honorable body to enact a Sabbath law that will prohibit all unnecessary secular labor and business, and all public sports and amusements inconsistent with the sanctity of the day, and at the same time will secure the necessary weekly rest to all classes of weary toilers.

(Signed:) Mrs. E. S. Beach, president of Ladies' Aid Society; Mrs. E L. Mann, Mrs. Amelia Currie, Mrs. L. A. Rogers, Miss F. A. Belknap, Mrs. Susie Cox, Mrs Emma D. Winston, Mrs. G. A Quentel, Mrs. R. A. Brame, Mrs. C Newton, Mrs. J. H Weaver, Mrs. A. M. Stewart, Mrs. S. F Anderick, Mrs. M. C. Needham, Mrs. C. M. Chase, Mrs. S. F. Smith, Mrs. W. G. Alexander, Mrs. Arena W. Penk, Mrs. E C. Shaw, Mrs. L A. Hart, A. H. Needham, N. R. Peck, T. F Gosbey, James May Allen, B. C. Winston, D. R. Walker, Eli Geiggs, N. H. Bieghle, S. E. Minor, Mrs. F. L. Tuttle, Miss M. Morden, Mrs. H. Morden, Mrs. E. A. Bieghle, S. A. Hale, L. C. Minor, I. Elliott, Mrs. E. M. Neighbor, J. H. Neighbor, W. H. Thompson, A. M. Fitzsimmons, Mrs. M. V. Baker, Mrs. M. A. Moore, Jennie C. Winston, Joseph Stewart, F. D. Howard, Jno. Penney, Henry Tollis, Jane H. Tollis, David Upton, Jas. Harper, Mrs. R. J. Finley, Etta B. Floyd, H. E. Scott, W. O. Goold, Sam'l Scott, Mrs Hortense Inman, M. E. Winslow, Mrs. Mary Harper, Miss M. J. Harps, Mrs J. M. Weeks, Mrs. E B. Daingerfield, Mrs. A. E. Colerick, C. L. Rae, M. D., Mrs. H. W. Mote, Rev C. S Fackenthall, B. A. Eardley, Janet Eardly, S. G. Gale, Jr., J. C. Gale, J. K. Oliver, S. L. Fritz, Daniel Cox, Mrs E. Slaughter, H. W. Briggs,

Dan Smith, Mrs. Dunlap, Sarah M. Severance, Eva E. Heath, Mrs. R. Bemrose, Annie L. Ellis, Mrs. R. H. Willey, Mrs. J. F. Gosbey, Mrs. B. Ray, Mrs. A. J. Hart, Mrs. M E Sinex, Mrs. D. K. Frasier, Mary R. Mathews, Mrs. M. E. Keyne, Mrs. E. Fitzsimmons, H. R. Rickard, Henry W Mote, Mrs. K. K. Piper, Mrs. D W. Beverton, Fred I. Smith, Mrs. S. A. Virgin, Mrs. J. S. Painter, Alex Crew, Isaac Vosburg, Mrs. Jennie Vosburg, E. S. Diffenderfer, J. F. Partington, L. S. Partington, C. C. Caruth, Irnie McPhail, Lizzie Scott, Edw. J. Burns, Louise M. Clark, John H. Blaisdell, Guy W. Smith, N. J. Mefteer, Arrma Smith, A. R Wood, G. E. Rayland, J. G. Diffenderfer.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES—(RESUMED).

By unanimous consent, all bills reported from committees were ordered read first time.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1897.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No 386—An Act entitled "An Act prohibiting the establishing, locating, placing, or maintaining of any hospital, sanitarium, building, or other structure used, or intended to be used, for the reception, care, or treatment of any persons afflicted with any contagious disease, within three thousand feet of any lake, pond, river, creek, ditch, or reservoir, the water of which is or may be used for domestic purposes other than in said institution; and forbidding any person or corporation from receiving, accepting, caring for, or treating any person or persons afflicted with any contagious or infectious disease in any such hospital, sanitarium, building or other structure within three thousand feet of any lake, pond, river, creek, ditch, or reservoir, the water of which is or may be used for domestic purposes other than in said institution—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KEABLES, Chairman.

Read first time, and ordered on file for second reading.

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1897

MR. SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred Assembly Bill No. 185—An Act to reduce the expenses of the government of the State—have had the same under consideration, and respectfully report the same back, and recommend that the author be granted leave to withdraw the same

Also: The following resolution by Mr Bridgford—That a special committee of five be appointed for the purpose of ascertaining the actual necessity for the expenditures made in the State Printing Office for the last fiscal year, with power to send for papers and persons, and to administer oaths—have had the same under consideration, and respectfully report the same back without recommendation

MELICK, Chairman.

MOTION.

Mr. Bridgford moved to amend by striking out the words "special committee of five" and inserting "Committee on Commissions, Retrenchment, and Public Expenditures."

The question being on the amendment of Mr. Bridgford.

Report as amended was adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

Mr. Guy submitted the weekly report of the Ways and Means Committee, and requested the same published in the Journal.

So ordered.

Following is the report:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1897.

MR. SPEAKER: Your Committee on Ways and Means beg leave to submit their report for the week ending Saturday, January 30th, as follows:

Bills referred to this committee since last report.

January 26, Assembly Bill No. 437—Claim of F. M. Millikan for publishing delinquent purchasers of State school land	$41 00
January 26, Assembly Bill No. 133—To purchase machinery for rock-crushing plant	8,000 00
January 27, Assembly Bill No. 120—Authorizing the levy of a rate of taxation for the University of California	-------
January 27, Assembly Bill No. 193—Claim of Marin County, account of inquests held over the bodies of convicts and prosecution of crimes committed within the State Prison at San Quentin	4,302 25
January 27, Assembly Bill No 491—To provide for the holding of a convention by the County Assessors of the State of California, at the State Capitol	5,000 00
January 28, Assembly Bill No. 533—Deficiency for postage, expressage, and contingent expenses of the Attorney-General for the forty-eighth fiscal year	350 00
January 28, Assembly Bill No. 534—Same as 533, for the forty-seventh fiscal year	50 00
January 28, Assembly Bill No. 535—Deficiency for office rent, Attorney-General, forty-eighth fiscal year	460 00
January 29, Assembly Bill No. 482—To provide for five Supreme Court Commissioners	67,000 00
January 29, Assembly Bill No 494—To prevent deception in the manufacture and sale of butter and cheese	5,000 00
January 30, Assembly Bill No. 159—Claim of Wm. M. Sullivan	2,500 00
January 30, Assembly Bill No. 160—Claim of Lawrence Dunnigan	5,225 00
January 30, Assembly Bill No. 161—Claim of W. H. Donnelly	5,000 00
January 30, Assembly Bill No. 502—Claim of W. C. Guirey	260 00
January 30, Assembly Bill No. 312—Claim of Charles F. Wells	5,000 00
January 30, Assembly Bill No. 271—Claim of Major José Ramon Pico	8,111 15
January 30, Assembly Bill No. 408—Claim of Bank Commissioners	957 30
January 30, Assembly Bill No. 405—For improvement of Capitol buildings and grounds	6,000 00
Total	$123,256 70
January 28, Senate Bill No. 138—For exhibit at Nashville	10,000 00
January 28, Senate Bill No. 256—For expenses of Presidential Electors	500 00
Total	$133,756 70

Reported back favorably:

January 26, Assembly Bill No. 211—Deficiency, Bureau of Labor Statistics	$1,649 80
January 26, Assembly Bill No. 215—Claim of Cunningham and Rodgers	870 00
January 26, Assembly Bill No 236—Deficiency, traveling expenses of Railroad Commissioners	55 00
January 26, Assembly Bill No. 237—Claim of W. J. Deater	396 60
January 26, Assembly Bill No. 238—Claim of Geo. A. Sturtevant	314 72
January 26, Assembly Bill No. 239—Expenses incurred by Code Commission	1,221 89
January 26, Assembly Bill No. 240—Deficiency in appropriation to provide for a rock-crushing plant	344 80
January 26, Assembly Bill No. 243—Deficiency incurred in calling out the National Guard	728 13
January 26, Assembly Bill No. 249—Claim of Dennis Jordan	63,563 66
January 28, Assembly Bill No. 44—To establish a Department of Labor	15,000 00
January 28, Assembly Bill No 287—To pay expenses of Electors of President and Vice-President. Author granted permission to withdraw the same.	
January 28, Assembly Bill No. 305—Coyote scalp claims. Author granted permission to withdraw the same	
January 28, Assembly Bill No. 352—Additional clerk for Secretary of State's office	266 67
January 28, Resolution by Mr. Dibble for supplies furnished by the Sergeant-at-Arms	206 54
January 29, Assembly Bill No. 206—Claim of Britton & Rey	1,348 75
January 29, Assembly Bill No. 207—Claim of Britton & Rey	1,078 60
January 29, Assembly Bill No 391—Transfer from General Fund to Estates of Deceased Persons Fund	80,000 00
January 29, Assembly Bill No. 303—To purchase launch for Fish Commissioners	1,500 00
January 29, Assembly Bill No 62—Claim of Thomas Hatch	1,050 00
January 29, Assembly Bill No. 482—To provide for five Supreme Court Commissioners	67,000 00
Total	$236,595 16

January 29, Senate Bill No. 138—For exhibit at Nashville	$10,000 00
January 29, Senate Bill No. 266—For expenses Presidential Electors	500 00
Total	$247,095 16

Recapitulation.

Total amount of appropriations referred to this committee to date	$1,684,781 57
Total appropriations reported favorably	345,770 95
Total appropriations reported unfavorably	3,500 00
Amount of appropriations withdrawn	287,500 00
Total amount of appropriations remaining in the hands of the committee	1,037,510 62

Respectfully submitted.

GUY, Chairman.

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1897.

MR SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred Assembly Bill No. 585—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—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MELICK, Chairman.

Assembly Bill No. 585—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 ordered on file for second reading.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1897.

MR SPEAKER: Your committee, the San Francisco Delegation, to whom was referred Assembly Bill No. 445—An Act relating to the authorization and employment of a draughtsman by Recorders in counties, and cities and counties, of the first class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

MULCREVY, Chairman.

Assembly Bill No. 445—An Act relating to the authorization and employment of a draughtsman by Recorders in counties, and cities and counties, of the first class.

Read first time, and ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1897.

MR SPEAKER: Your committee, the San Francisco Delegation, to whom was referred Senate Bill No. 60—An Act conferring power upon the governing body of municipal corporations to provide for the erection of a municipal hospital, and to levy a tax therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MULCREVY, Chairman.

Senate Bill No. 60—An Act conferring power upon the governing body of municipal corporations to provide for the erection of a municipal hospital, and to levy a tax therefor.

Read first time, and ordered on Senate special file.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.:

Assembly Bill No. 170—An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law.

Also: Assembly Bill No. 7—An Act to compel all depositaries of money and commercial banks to publish a sworn statement of all unclaimed deposits.

Also: Assembly Bill No. 8—An Act to amend an Act entitled "An Act to provide for the burial of of ex-Union soldiers, sailors, and marines in this State, who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889.

Also: Assembly Bill No. 23—An Act entitled an Act to amend Section 1575 of the Code of Civil Procedure

Also: Assembly Bill No 119—An Act authorizing certain corporations to loan and invest money, and regulating the same.

Also: Assembly Bill No. 127—An Act to regulate medical practice, to prevent blindness in infants.

Also: Assembly Bill No 182—An Act to authorize any city or city and county of this State to take its census

Also: Assembly Bill No. 251—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 397 thereof, relating to penalties for selling liquor to habitual or common drunkards and Indians.

Also: Assembly Bill No. 283—An Act to change and permanently locate the boundary line between the counties of Butte and Yuba.

Also: Assembly Bill No. 286—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Also: Assembly Bill No. 306—An Act to provide for the management and operation of railroads above certain elevations.

Also: Assembly Bill No. 316—An Act to provide for increasing the efficiency of fire departments within municipalities of the first class in the State of California.

Also: Assembly Bill No 332—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Also: Assembly Bill No. 455—An Act to amend the Code of Civil Procedure, by adding thereto a new section, to be numbered Section 676, relating to conveyances under order of court.

Also: Assembly Bill No. 456—An Act to amend Section 691 of the Code of Civil Procedure.

Also: Assembly Bill No. 457—An Act to add a new section to the Code of Civil Procedure, to be known as Section 811 thereof, relating to dissolution of corporations

Also: Assembly Bill No. 458—An Act to amend Section 868 of the Code of Civil Procedure.

Also: Assembly Bill No. 459—An Act to amend Section 939 of the Code of Civil Procedure.

Also: Assembly Bill No. 460—An Act to amend Section 943 of the Code of Civil Procedure.

Also: Assembly Bill No. 461—An Act to amend Section 963 of the Code of Civil Procedure.

Also: Assembly Bill No. 462—An Act to amend Section 977 of the Code of Civil Procedure.

Also: Assembly Bill No. 463—An Act to amend Section 980 of the Code of Civil Procedure.

Also: Assembly Bill No. 464—An Act to amend Section 1490 of the Code of Civil Procedure.

Also: Assembly Bill No. 465—An Act to amend Section 1491 of the Code of Civil Procedure.

Also: Assembly Bill No. 466—An Act to add a new section to the Code of Civil Procedure, to be known as Section 1593 thereof, relating to the right of executors and administrators to bid at foreclosure sales in certain cases.

Also: Assembly Bill No. 467—An Act to amend Section 1906 of the Code of Civil Procedure.

Also: Assembly Bill No. 469—An Act to amend Section 1991 of the Code of Civil Procedure.

Also: Assembly Bill No. 470 —An Act to amend the Code of Civil Procedure, by adding thereto two new sections, to be numbered, respectively, Sections 2039 and 2040, relating to letters rogatory.

AUSTIN, Chairman.

INTRODUCTION OF BILLS.

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

By Committee on Commissions, Retrenchment, and Public Expenditures: Assembly Bill No. 653 (Substitute for Assembly Bill No. 185)—An Act to reduce the expenses of the government of the State.

Read first time, and ordered on file for second reading.

By Mr. Melick: Assemby Bill No. 654—An Act to add a new title to Part IV of an Act entitled an Act to establish a Political Code, approved March 12, 1872, to be known as Title V, regulating publications by

State officers and commissioners, Common Councils, Boards of Writers, or Supervisors in counties, cities, cities and counties, or towns.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 655—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be numbered and known as Section 51, relating to libel.

Read first time, and referred to Committee on Judiciary.

By Mr. Hudson: Assembly Bill No. 656—An Act providing for the furnishing to Sheriffs and Chiefs of Police of certain information, description, and photographs of convicts about to be discharged by the wardens of State prisons.

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

By Mr. Waymire: Assembly Bill No. 657—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 County and Township Governments.

By Mr. Goff: Assembly Bill No. 658—An Act to amend an Act entitled "An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State," approved March 28, 1895, by amending Section 1 thereof, relative to witness fees.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 659—An Act to provide for vacating and closing up any park, plaza, public square, or public reservation not belonging to the State, and not situated within any municipality.

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

Also: Assembly Bill No. 660—An Act making an appropriation for the furnishing of a community dining-room and dormitory building for the Southern California State Asylum for the Insane and Inebriates.

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

By Mr. Toland: Assembly Bill No. 661—An Act to regulate the manufacture and sale of commercial fertilizers.

Read first time, and referred to Committee on Agriculture.

By Mr. Goodhue: Assembly Bill No. 662—An Act to regulate the letting, the erection, improvement, or repair of public school buildings.

Read first time, and referred to Committee on Education.

By Mr. Clarke: Assembly Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to Section 9 of Article XIII of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

Also: Assembly Bill No. 663—An Act to enable all counties, incorporated towns or municipalities, or consolidated cities and counties of this State to use automatic voting or ballot machines, and to provide for their use at all and any elections therein.

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

By Mr. Elliott: Assembly Bill No. 664—An Act to amend Sections 435, 1595, and 1858 of the Political Code, and to add two new sections thereto, relating to kindergartens.

Read first time, and referred to Committee on Education.

By Mr. Pohlman: Assembly Bill No. 665—An Act to amend an Act entitled "An Act concerning the waterfront of the City and County of San Francisco," approved March 15, 1878.

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

By Mr. Guy: Assembly Bill No. 666—An Act to amend Section 338 of the Civil Code of the State of California, relative to the sale of a franchise to collect tolls.

Read first time, and referred to Committee on Roads and Highways.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1897.

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

Resolved, That Ed J. Smith be and he is hereby allowed ten days' pay for services rendered the Assembly as Assistant Clerk, from January 12th to January 21st, both dates inclusive; said pay to be made payable out of the appropriation for the contingent expenses of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that it be not allowed.

VOSBURG, Chairman.

Report adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1897.

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

Resolved, That the Committee on Attachés and Employés be and they are hereby required to furnish the Assembly, within three days, a statement of all officers, attachés, and employés on the pay roll of the Assembly at this date, and their per diem.

Have had the same under consideration, and respectfully report the same back, and recommend that this report be adopted.

Following is the list:

OFFICERS AND CLERKS OF THE ASSEMBLY.

	Per Diem.
F. L. Coombs, Speaker	$2 00
S. J. Duckworth, Chief Clerk	8 00
W. G. Hawkett, Assistant Clerk	8 00
Clark Alberti, Assistant Clerk	8 00
W. O. Banks, Sergeant-at-Arms	8 00
W. N. Lamphrey, Assistant Sergeant-at-Arms	6 00
R. Q. Wickham, Minute Clerk	8 00
E. S. Gridley, Journal Clerk	8 00
John Varcoe, Enrolling Clerk	8 00
Frank Barnett, Engrossing Clerk	8 00
Miss Lizzie M. Baxter, Postmistress	4 00
Miss N Patton, Assistant Postmistress	4 00
E. M. Brock, Porter	4 00
A. Duncan Jones, Porter	4 00
C. T. Jones, Porter	4 00
H. Shaw, Porter	4 00
T. J. Donohue, Porter	3 00
Walter Benchley, Porter	3 00
W. Bullock, Porter	3 00
Claire Moore, Porter	3 00
Charles Orr, Assistant Clerk	8 00
H. F. Peart, Assistant Clerk	8 00
B. L. McKinley, Assistant Clerk	8 00
H. D. Pohlman, Assistant Clerk	8 00
Miss G. Goodhue, Assistant Clerk	8 00
R. V. Robertson, Assistant Clerk	8 00
H. J. Jackson, Assistant Clerk	5 00
Ed A. Morse, Assistant Clerk	8 00
W. S. Spencer, Assistant Engrossing Clerk	8 00
Miss M. R. Martin, Assistant Engrossing Clerk	8 00
J. C. Brooks, Assistant Engrossing Clerk	8 00

OFFICERS AND CLERKS OF THE ASSEMBLY—Continued.

	Per Diem
Alex. Leslie, Assistant Engrossing Clerk	$8 00
A. A Rutland, Assistant Engrossing Clerk	8 00
Geo. Keane, Assistant Enrolling Clerk	8 00
H. C. Jones, Assistant Enrolling Clerk	8 00
J. A. Emerson, Assistant Enrolling Clerk	8 00
Wm. Levinson, Assistant Enrolling Clerk	8 00
Wm. Ryan, Assistant Enrolling Clerk	8 00
Marshall Black, Assistant Journal Clerk	8 00
J. M. Oliver, Assistant Journal Clerk	8 00
A. J. Breiling, Assistant Journal Clerk	8 00
H. S. Adney, Assistant Journal Clerk	8 00
R. Nixon, Jr, Assistant Minute Clerk	8 00
T. W. Harris, Assistant Minute Clerk	8 00
M. Estudillo, Assistant Bill Clerk	4 00
C. W. Woods, Assistant Bill Clerk	4 00
J. Field, Assistant Bill Clerk	4 00
R. J. Arnerich, File Clerk	5 00
J. Casey, Assistant File Clerk	4 00
A. J. Brannan, Assistant File Clerk	4 00
J. F. Robinson, Assistant File Clerk	4 00
James Costello, Assistant File Clerk	4 00
L. S. Levy, Bill Filer	5 00
Robert Corlett, Clerk to Sergeant-at-Arms	8 00
J. Erb, Clerk to Sergeant-at-Arms	8 00
H. E. Montague, Clerk to Sergeant-at-Arms	5 00
Jabez Hocking Bookkeeper to Sergeant-at-Arms	5 00
Edward Slack, Page to Sergeant-at-Arms	3 00
C. F. Clarke, Folding Clerk	4 00
Levi Coombs, Mail Carrier	5 00
W. R. Hall, Messenger to Printer	4 00
L. B. Kinney, Messenger to Speaker	4 00
C. F. Oehler, Chaplain	5 00
Samuel Garratt, Clerk to Governor, Messenger	4 00
W. S Reyner, Gatekeeper	4 00
E. West, Gatekeeper	4 00
W. H. Evans, Gatekeeper	4 00
J. D Brower, Gatekeeper	4 00
John Kofod, Watchman	4 00
J. B Nichols, Watchman	4 00
R. C. Eddy, Watchman	4 00
John Numore, Gallery Watchman	4 00
A. Hoffer, Gallery Watchman	4 00
J. B. Wilson, Special Night Watchman	4 00
Harry Johnson, Janitor Coatroom	4 00
Mrs. James Stokes, Janitress	4 00
H. A. Downer, Usher	4 00
A. Donnelly, Assistant Usher	4 00
William Grinsell, Assistant Doorkeeper	4 00
C. D F. Case, Porter	4 00
J. E. Gross, Porter	4 00
M. McCloud, Porter	4 00
Henry Colgan, Porter	4 00
George Tilley, Gallery Porter	4 00
C H Smith, Gallery Porter	4 00
A. Williams, Gallery Porter	4 00
Berry Turner, Elevator Boy	4 00
D. N Knowles, Elevator Boy	4 00
Ralph Cross, Page	3 00
H C. Tennis, Page	3 00
A Elliott, Page	3 00
Donald Bruce, Page	3 00
L. Cervantes, Page	3 00
C. Anderson, Committee Clerk	5 00
F. Armstrong, Committee Clerk	5 00
A. A Bailey, Committee Clerk	5 00
Miss Carrie Bryan, Stenographer to Ways and Means Committee	5 00
J P. Baumgartner, Committee Clerk	5 00
William Boyd, Committee Clerk	5 00
F. E. Clark, Committee Clerk	5 00
L. M. Conway, Committee Clerk	5 00
F. E Cook, Committee Clerk	5 00
Barnabus Collins, Committee Clerk	5 00
Mrs. A. B. Campbell, Committee Clerk	5 00

OFFICERS AND CLERKS OF THE ASSEMBLY—Continued.

	Per Diem.
Mrs Ann Campbell, Committee Clerk	$5 00
A. D. d'Ancona, Stenographer to Judiciary Committee	5 00
O. J. Ellsworth, Sergeant-at-Arms to Ways and Means Committee	5 00
C. M. Fairbank, Committee Clerk	5 00
J. A. Flint, Committee Clerk	5 00
G C. Fisher, Committee Clerk	5 00
J. L. Gillis, Committee Clerk	8 00
S. G. Goodhue, Jr., Committee Clerk	5 00
W. J. Hennessey, Committee Clerk	5 00
D. T. Hard, Porter to Committee on Judiciary	4 00
H. A. Harper, Committee Clerk	5 00
G. F. Hill, Committee Clerk	5 00
Theo Z. Hardee, Stenographer to Con. & R. C.	5 00
W. T. Hamilton, Clerk of Minority	5 00
Harry Kelly, Clerk of San Francisco Delegation	5 00
Irene Keables, Committee Clerk	5 00
W. J. Keating, Committee Clerk	5 00
Harry Levinsky, Committee Clerk	5 00
F. H. Lombard, Sergeant-at-Arms to Committee on Judiciary	5 00
P. Kinney, Porter to Committee on Revision of Codes and Statutes	4 00
W. H. Laws, Porter to Committee on Ways and Means	4 00
Charles Mautalin, Committee Clerk	5 00
Mia Nason, Committee Clerk	5 00
L. A. Phillips, Committee Clerk	8 00
Emma I. Price, Committee Clerk	5 00
James Poole, Committee Clerk	5 00
E. E. Roberts, Committee Clerk	5 00
W. H. Rickard, Committee Clerk	5 00
W. H. Rice, Sergeant-at-Arms to San Francisco Delegation	5 00
W. H. Sanders, Committee Clerk	5 00
F. C. Smythe, Committee Clerk	5 00
E Sheridan, Committee Clerk	5 00
Charles Z Soule, Committee Clerk	5 00
Charles Sinclair, Committee Clerk	5 00
Alice Strange, Committee Clerk	5 00
Edward B. Spencer, Committee Clerk	5 00
C. Sammanni, Committee Clerk	5 00
J. F. Sheehan, Jr., Additional Clerk to Committee on Revision of Codes and Statutes	5 00
J. B. Stanton, Sergeant-at-Arms to Minority	5 00
Grant Towle, Committee Clerk	5 00
E. S. Tomblin, Committee Clerk	5 00
G. W. Vosburg, Committee Clerk	5 00
C. E. Williams, Sergeant-at-Arms to Committee on Corporations	5 00
C. T. Waymire, Committee Clerk	8 00
E F. Wright, Committee Clerk	5 00
John Wray, Committee Clerk	5 00
M M. Wimans, Committee Clerk	5 00
L. K. Wood, Porter to Cloakroom	4 00
Robert Bidwell, Porter to Gallery	4 00
C. W. Kyle, Assistant Clerk at Desk	8 00
J. Cummings, Clerk and Sergeant-at-Arms to Investigating Committee	5 00

VOSBURG, Chairman.

MOTIONS.

Mr. Leavitt moved that the vote by which the Journal of Thursday, January 28th, was approved, be reconsidered.

So ordered.

Mr. Leavitt moved to correct the Journal, to show that Assembly Bill No. 184 was withdrawn, instead of Assembly Bill No. 104, as appeared on the Journal of January 28th.

So ordered.

APPROVAL OF JOURNAL.

The Journal of January 28th was then approved.

Mr. Emmons moved that the Committee on Public Morals be required to report back to the Assembly, immediately, Assembly Bill No. 336.

So ordered.

RESOLUTION.

By Mr. Caminetti:

WHEREAS, Under the laws of California preference is directed to be given to ex-soldiers and sailors of the Union in the employment of certain officers and assistants in the public service;

WHEREAS, The same preference should be given to sons and daughters of such thereof who have lost their lives in the defense of the country; therefore, be it

Resolved, That Mrs. Sue Porter Carpenter be and hereby is appointed Assistant Janitress of the ladies' waiting room, at a per diem of $4, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

Mr. Waymire, Chairman of the Committee on Judiciary, submitted the following special report of business of Supreme Court, and asked the same be published in the Journal.

So ordered.

The following is the report:

Detailed statement of the business of the Supreme Court of California from January 1, 1889, to December 31, 1896, showing the number of causes filed, and the number decided during said period; also, the work of the Commissioners of said Court from their appointments, May 12, 1885, to December 31, 1896.

Compiled from official records by D. B. Woolf, Secretary Supreme Court Commissioners.

CAUSES FILED—1889.

Transcripts, civil	558	
Original proceedings, civil	44	
Clerk's certificates on motions to dismiss appeals	43	
Transcripts, criminal	66	
Habeas corpus writs	57	
Prohibition, criminal	1	
Disbarment proceedings	2	
Application for certificate of probable cause	1	
Total causes filed, 1889		772

JUDGMENTS RENDERED—1889.

Affirmed	388	
Reversed	219	
Modified	8	
Appeals dismissed	130	
Original proceedings and habeas corpus writs decided	44	
Total causes decided, 1889		789
Rehearings granted	52	
Rehearings denied	196	
Total applications for rehearing acted on, 1889		248

CAUSES FILED—1890.

Transcripts, civil	524	
Original writs, civil	51	
Clerk's certificates on motion to dismiss	42	
Transcripts, criminal	74	
Habeas corpus writs	77	
Disbarment proceedings	1	
Total causes filed, 1890		769

JUDGMENTS RENDERED—1890.

Affirmed	362	
Reversed	199	
Modified	8	
Appeals dismissed	107	
Original proceedings and habeas corpus writs decided	85	
Total causes decided, 1890		761
Rehearings granted	46	
Rehearings denied	163	
Total applications for rehearing, 1890		209

CAUSES FILED—1891.

Transcripts, civil	569	
Original writs	58	
Clerk's certificates on motion to dismiss	57	
Transcripts, criminal	60	
Habeas corpus writs	57	
Application for certificate of probable cause	2	
Motion to dismiss appeal, criminal	1	
Causes filed 1891		804

JUDGMENTS RENDERED—1891.

Affirmed	411	
Reversed	234	
Modified	21	
Appeals dismissed	128	
Original proceedings and habeas corpus writs decided	72	
Total causes decided, 1891		866
Rehearings granted	33	
Rehearings denied	192	
Total applications for rehearing, 1891		225

CAUSES FILED—1892.

Transcripts, civil, San Francisco district	262	
Transcripts, civil, Sacramento district	149	
Transcripts, civil, Los Angeles district	192	
Original writs, San Francisco district	50	
Original writs, Sacramento district	2	
Original writs, Los Angeles district	7	
Clerk's certificates, San Francisco district	49	
Clerk's certificates, Sacramento district	11	
Clerk's certificates, Los Angeles district	18	
Transcripts, criminal	47	
Habeas corpus writs	26	
Total causes filed, 1892		813

JUDGMENTS RENDERED—1892.

Affirmed	390	
Reversed	189	
Modified	16	
Appeals dismissed	142	
Original writs, and habeas corpus proceedings decided	96	
Total causes decided, 1892		833
Rehearings granted	19	
Rehearings denied	165	
Total applications for rehearing, 1892		184

CAUSES FILED—1893.

Transcripts, civil, San Francisco district	257	
Transcripts, civil, Sacramento district	140	
Transcripts, civil, Los Angeles district	185	
Original writs, San Francisco district	46	
Original writs, Sacramento district	1	
Original writs, Los Angeles district	4	
Clerk's certificates, San Francisco district	31	
Clerk's certificates, Sacramento district	4	
Clerk's certificates, Los Angeles district	9	
Transcripts, criminal	70	
Habeas corpus writs	22	
Application for probable cause	1	
Disbarment proceedings	1	
Total causes filed, 1893		771

JUDGMENTS RENDERED—1893.

Affirmed	419	
Reversed	234	
Modified	23	
Appeals dismissed	104	
Original proceedings and habeas corpus writs decided	103	
Total causes decided, 1893		883

Rehearings granted	18	
Rehearings denied	191	
Total applications for rehearing, 1893		209

CAUSES FILED—1894

Transcripts, civil, San Francisco district	299	
Transcripts, civil, Sacramento district	139	
Transcripts, civil, Los Angeles district	166	
Original writs, San Francisco district	65	
Original writs, Sacramento district	1	
Original writs, Los Angeles district	1	
Clerk's certificates, San Francisco district	48	
Clerk's certificates, Sacramento district	2	
Clerk's certificates, Los Angeles district	7	
Transcripts, criminal	80	
Habeas corpus writs	37	
Disbarment proceedings	3	
Application for certificate of probable cause	1	
Contempt proceedings	1	
Total causes filed, 1894		850

JUDGMENTS RENDERED—1894.

Affirmed	489	
Reversed	201	
Modified	32	
Appeals dismissed	77	
Original proceedings and habeas corpus writs decided	173	
Total causes decided, 1894		972
Rehearings granted	24	
Rehearings denied	177	
Total applications for rehearing, 1894		201

CAUSES FILED—1895.

Transcripts, civil, San Francisco district	264	
Transcripts, civil, Sacramento district	166	
Transcripts, civil, Los Angeles district	155	
Original writs, San Francisco district	69	
Original writs, Sacramento district	1	
Original writs, Los Angeles district	8	
Clerk's certificates, San Francisco district	77	
Clerk's certificates, Sacramento district	11	
Clerk's certificates, Los Angeles district	7	
Transcripts, criminal	72	
Habeas corpus writs	45	
Motion to dismiss, criminal	1	
Writ of mandate, criminal	3	
Writ for stay of execution	3	
Application for certificate of probable cause	1	
Writ of prohibition, criminal	1	
Disbarment proceedings	2	
Petitions to be admitted to bail	2	
Total causes filed, 1895		888

JUDGMENTS RENDERED—1895.

Affirmed	390	
Reversed	208	
Modified	52	
Dismissed	131	
Original proceedings and habeas corpus writs decided	179	
Total causes decided, 1895		960
Rehearings granted	37	
Rehearings denied	185	
Total applications for rehearing, 1895		222

CAUSES FILED—1896.

Transcripts, civil, San Francisco district	280	
Transcripts, civil, Sacramento district	163	
Transcripts, civil, Los Angeles district	166	
Original writs, San Francisco district	70	
Original writs, Sacramento district	2	
Original writs, Los Angeles district	2	
Clerk's certificates, San Francisco district	79	
Clerk's certificates, Sacramento district	4	
Clerk's certificates, Los Angeles district	17	
Transcripts, criminal	87	
Habeas corpus writs	33	
Motion to dismiss, criminal	1	
Writ of mandate	1	
Application for stay of judgment	1	
Application for certificate of probable cause	1	
Disbarment proceedings	1	
Total causes filed, 1896		908

JUDGMENTS RENDERED—1896.

Affirmed	375	
Reversed	184	
Modified	31	
Appeals dismissed	149	
Original proceedings and habeas corpus writs decided	140	
Total causes decided, 1896		879
Rehearings granted	26	
Rehearings denied	192	
Total applications for rehearing, 1896		218

RECAPITULATION.

Causes filed, 1889	772	
Causes filed, 1890	769	
Causes filed, 1891	804	
Causes filed, 1892	813	
Causes filed, 1893	771	
Causes filed, 1894	850	
Causes filed, 1895	888	
Causes filed, 1896	908	
Total filings in 8 years		6,575
Judgments rendered, 1889	789	
Judgments rendered, 1890	761	
Judgments rendered, 1891	866	
Judgments rendered, 1892	833	
Judgments rendered, 1893	883	
Judgments rendered, 1894	972	
Judgments rendered, 1895	960	
Judgments rendered, 1896	879	
Total judgments in 8 years		6,943
Petitions for rehearing, 1889	248	
Petitions for rehearing, 1890	209	
Petitions for rehearing, 1891	225	
Petitions for rehearing, 1892	184	
Petitions for rehearing, 1893	209	
Petitions for rehearing, 1894	201	
Petitions for rehearing, 1895	222	
Petitions for rehearing, 1896	218	
Total petitions for rehearing decided		1,716

Number of opinions written by the Commissioners of the Supreme Court from their appointment to December 31, 1896:

First Term, of Three Commissioners.

1885 (from July)	168	
1886	241	
1887	219	
1888	254	
1889 (to May)	108	
Total, first term		990

Second Term, of Five Commissioners.

1889 (from May)	164	
1890	285	
1891	298	
1892	290	
1893 (to May)	120	
Total, second term		1,157

Third Term, of Five Commissioners.

1893 (from May)	196	
1894	334	
1895	286	
1896 (to December 31st)	266	
Total, third term		1,082
Total number of opinions written		3,229

SUMMARY.

Judgments rendered from January 1, 1889, to December 31, 1896		6,943
Causes filed, same period		6,575
Gain of judgments over filings		368
Cases unsubmitted, 1885	1,003	
Cases unsubmitted, 1897	671	
	332	
Cases dropped from calendar, can be restored on motion	36	
		368
Cases filed during past four years	3,417	
Cases filed four years from 1885 to 1888, inclusive	2,589	
Increase of filings in past four years		828
Petitions for rehearings acted on in eight years		1,716
Opinions written by Commissioners to December 31, 1896		3,229

The Commissioners have examined 379 applicants for admission to practice as attorneys and counselors at law, of which number 277 have been admitted, 101 rejected, and one application rejected without examination.

Compiled and submitted January 25, 1897.

D. B. WOOLF,
Secretary Supreme Court Commissioners.

RESOLUTION—(OUT OF ORDER).

By Mr. Sims:

Resolved, That the Sergeant-at-Arms is hereby authorized to procure a sufficient daily supply of pure Blue Cañon water for the use of the Assembly Chamber during the session, at a cost not to exceed $5 per day, the same to be paid for out of the fund for the contingent expenses of the Assembly.

Mr. Sims moved that the rules be suspended and the resolution adopted.

So ordered.

Mr. Power, of San Francisco, moved that Assembly Bill No. 592 be re-referred to Committee on Education.

So ordered.

Mr. Guy moved that Assembly Bill No. 215 be re-referred to Committee on Ways and Means, and retain its place on file.

So ordered.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Cutter: Assembly Bill No. 667—An Act to amend Section 595 of the Civil Code of the State of California, relating to religious, social, and benevolent associations.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 668—An Act regulating the width of tires upon wagons and other vehicles to be used upon the highways of the State of California, and providing penalties for violations of the provisions of this Act.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Clarke: Assembly Bill No. 669—An Act to amend Section 2653 of the Political Code, relative to property highway tax.

Read first time, and referred to Committee on Roads and Highways.

SPECIAL FILE.

Assembly Bill No. 227—An Act making an appropriation to pay the expenses incurred by calling the National Guard of California into service, by order of the Governor, in 1894 and 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. Aldridge, Allen, Austin, Belshaw, Bettman, Boone, Breiling, Burnett, Burnham, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dibble, Elliott, Fontana, Godfrey, Goff, Goodhue, Guy, Henry, Hill, Houghton, Jones, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Pohlman, Power of Placer, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Assembly Bill No. 170—An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law.

Passed temporarily on file.

Assembly Bill No. 405—An Act making an appropriation for improving the Capitol buildings and grounds.

Passed on file.

THIRD-READING FILE.

Assembly Bill No. 415—An Act to amend Section 383 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Austin, Belshaw, Boone, Breiling, Burnett, Caminetti Canavan, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Emmons, Fontana, Foreman Godfrey, Guy, Henry, Hill, Houghton, Hudson, Jones, Keables, Kenyon, Lacy, Landsborough, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, Pohlman, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Bill No. 416—An Act to amend Secton 389 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Austin, Belshaw, Bettman, Boone, Burnett, Burnham, Canavan Cross, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Fontana, Foreman, Goodhue, Guy, Henry, Hill, Hudson, Lacy, Landsborough, Leavitt, Mahoney,

Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, Pohlman, Power of Placer, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—51.
NOES—None.

Title read and approved.

Assembly Bill No. 417—An Act to amend Section 396 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Austin, Belshaw, Bettman, Boone, Burnett, Canavan, Cross, Dennery, Dibble, Dolan, Dryden, Elliott, Fontana, Foreman, Godfrey, Goodhue, Guy, Harris, Hill, Hudson, Jones, Keables, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Melick, Mulcrevy, McCandlish, McGrath, McLaurin, North of Alameda, Pohlman, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, and Mr. Speaker—49.
NOES—None.

Title read and approved.

Assembly Bill No. 418—An Act to amend Section 407 of the Code of Civil Procedure.

Mr. Dibble moved that the bill be passed on file.

So ordered.

Assembly Bill No. 452—An Act to repeal Sections 626*a*, 626*b*, 626*c*, 626*d*, 626*e*, 626*f*, 626*g*, 626*h*, 626*i*, 627*a*, 627*b*, 627*c*, and 627*d*, and to amend Sections 626 and 627 of the Penal Code of the State of California, relating to game.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Elliott, Foreman, Godfrey, Goodhue, Harris, Hill, Hudson, Jones, Keables, Kenyon, Lacy, Landsborough, Leavitt, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, Pohlman, Power of Placer, Rubell, Sanford, Strain, Toland, Valentine, Vosburg, Waymire, and Mr Speaker—47.
NOES—Messrs. Dryden, Robinson, Soward, and Stansell—4.

The following amendment was offered by Mr. North, of Alameda:

Amend by striking out of title, line 1, the numbers "626*d*," where the same occur the second time.

Adopted.

Assembly Bill No. 452 ordered to reëngrossment and printer.

NOTICE OF RECONSIDERATION.

Mr. North, of Alameda, gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 452 was passed.

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

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

LEAVE OF ABSENCE.

Mr. R. J. Nixon, Jr., Assistant Minute Clerk, was granted leave of absence until next Monday, February 8th.

RESOLUTION.

By Mr. Kenyon:

Resolved, That the Committee on Contested Elections be empowered and authorized to send for the ballots and all material used during the election and count in the Thirty-second Assembly District, for the purpose of inquiring into charges of fraud now pending before said committee.

Mr. Kenyon moved that the resolution be adopted.

The ayes and noes were demanded by Messrs. Bettman, Kelly, and Cross.

The roll was called, and pending the announcement of the vote, Mr. Bettman moved a call of the House.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Anderson, Austin, Bettman, Boone, Breiling, Bridgford, Burnham, Caminetti, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Fontana, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Keables, Kelly, Kenyon, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, Power of San Francisco, Robinson, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker.

Mr. Dibble moved that further proceedings under the call be dispensed with.

So ordered.

The vote was announced, and the resolution offered by Mr. Kenyon defeated by the following vote:

AYES—Messrs. Bettman, Burnham, Cross, Dennery, Goodhue, Guy, Kelly, Kenyon, and Mr. Speaker—9.

NOES—Messrs. Aldridge, Allen, Anderson, Austin, Boone, Bridgford, Burnett, Caminetti, Clarke, Cutter, Damon, Dryden, Elliott, Fontana, Godfrey, Goff, Hill, Keables, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, Power of Placer, Ryan, Sanford, Shanahan, Soward, Stansell, Strain, Treacy, Valentine, Vosburg, and Waymire—37.

At two o'clock and twenty-five minutes P. M., the Speaker called Mr. Dibble to the chair.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Hill: Assembly Bill No. 670—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 1641 of the Code of Civil Procedure of the State of California, relating to the accounts of executors and administrators.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 671—An Act to amend Section 1585 of the Code of Civil Procedure of the State of California, relating to the settlement of the accounts of a deceased partner by the surviving partner.

Read first time, and referred to Committee on Judiciary.

By Mr. Ennis: Assembly Bill No. 672—An Act to provide for the location, construction, and maintenance of highways owned or to be acquired by the State of California, by the levy of a rate of taxation, and the creation of a fund therefor.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Clarke: Assembly Bill No. 673—An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employés thereof, and to provide for the compensation of said officers and employés, and for the additional expenses of said department, and to make an appropriation therefor, for the remainder of the forty-eighth fiscal year.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Ennis: Assembly Bill No. 674—An Act to classify the roads in the State of California, and to define each class.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Guy: Assembly Bill No. 675—An Act to amend Section 595 of the Civil Code of the State of California, relating to religious, social, and benevolent associations.

Read first time, and referred to Committee on Judiciary.

PETITION.

Mr. Guy presented the following petition, and requested it published in the Journal.

So ordered.

To the honorable Legislature and the Governor of the State of California:

Petition of the Boards of Aldermen and Delegates of the City of San Diego, in favor of the passage of the bill to establish a State Normal School in the County of San Diego.

WHEREAS, The members of the Boards of Aldermen and Delegates of the City of San Diego wish to express their interest in the bill now pending in each branch of the State Legislature, for the establishment of a State Normal School in the County of San Diego; and

WHEREAS, Said bill is, we believe, in the line of sound public policy;

Now, therefore, we respectfully pray your honorable Legislature to pass said bill, and your Excellency the Governor to approve the same.

I hereby certify the above and foregoing to be a full, true, and correct copy of the petition of the Common Council of the City of San Diego, California, to the Legislature of said State, asking for the establishment of a State Normal School in the County of San Diego.

[SEAL.] GEO. D. GOLDMAN,

Clerk of the City of San Diego, and ex officio Clerk of the Common Council of the City of San Diego, State of California.

By H. W. VINCENT, Deputy.

RESOLUTION.

By Mr. Coombs:

Resolved, That a committee of three be appointed by the Speaker to investigate the payroll of the Assembly, with a view of recommending the abolishment of needless positions, so that said payroll may conform to an economical administration of affairs in the Assembly.

Mr. Coombs moved that the rules be suspended and the resolution considered at this time.

So ordered.

Resolution adopted.

APPOINTMENT OF COMMITTEE.

The Chair announced the appointment of the following as said special committee: Messrs. Coombs, Valentine, and Bridgford.

SENATE SPECIAL FILE.

Mr. Guy moved that Senate Special File be passed for to-day.

So ordered.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 22—An Act to amend Section 5 of 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.

Passed on file.

Assembly Bill No. 454—An Act to amend Section 1 of an Act entitled "An Act for the further protection of stockholders in mining companies," approved April 23, 1880.

Passed on file.

Assembly Bill No. 21—An Act entitled an Act to amend Section 1 of an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895.

Read third time.

Mr. Vosburg moved to amend by striking out of Section 1, lines 7 and 8, the words "as shown by the vote cast at the last municipal election held therein."

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. Aldridge, Allen, Anderson, Austin, Bettman, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cross, Cutter, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Kenyon, Lacy, Landsborough, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, Power of Placer, Power of San Francisco, Rubell, Ryan, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, and Waymire—50.

NOES—None.

Title read and approved.

Assembly Bill No. 11—An Act to amend Sections 8 and 49 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 March 26, 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. Aldridge, Allen, Anderson, Bettman, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Houghton, Jones, Keables, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Sanford, Shanahan, Soward, Stansell, and Strain—50.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Caminetti gave notice that on next legislative day he would move to reconsider the vote whereby the resolution of Mr. Kenyon, relative to contested election in the Thirty-second District, was this day refused passage.

Mr. Leavitt asked the unanimous consent of the Assembly to take up at this time the said reconsideration.

So ordered.

Mr. Leavitt moved to reconsider the vote whereby the Assembly this day refused to adopt Mr. Kenyon's resolution.

So ordered.

RESOLUTIONS.

By Mr. Kenyon:

Resolved, That the Committee on Contested Elections be empowered and authorized to send for the ballots and all material used during the election and count in the Thirty-second Assembly District, for the purpose of inquiring into the charges of fraud now pending before said committee.

Adopted.

By Mr. Belshaw:

Resolved, That the State Printer be and he is hereby directed to print five hundred copies of all bills as amended.

Mr. Belshaw moved that the rules be suspended and the resolution adopted.

So ordered.

By Mr. Leavitt:

Resolved, That the Sergeant-at-Arms be directed to obtain each day copies of Senate bills on the Senate Special File of the House for each member of the House, and to distribute them in the forenoon.

Adopted.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 12—An Act to amend Section 312 of the Code of Civil Procedure of the State of California, relating to the time of commencing 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. Aldridge, Allen, Anderson, Austin, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Jones, Keables, Kelly, Kenyon, Lacy, Landsborough, Mahoney, Mead, Melick, Mulcrevy, McCandlish, North of Alameda, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Sanford, Soward, Stansell, Strain, Valentine, Vosburg, and Waymire—53.

NOES—None

Title read and approved.

Assembly Bill No. 41—An Act to amend Section 1469 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 estates of deceased persons, where the value of the whole estate does not exceed the sum of $1,500.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Austin, Belshaw, Bettman, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kenyon, Lacy, Landsborough, Leavitt, Mead, Melick,

Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Shanahan, Soward, Stansell, Strain, Toland, Valentine, and Waymire—55.
NOES—None.

Title read and approved.

Assembly Bill No. 80—An Act to provide for the employment of citizens of the United States upon public works within this State.

Read third time.

Mr. Cutter moved to refer to a select committee of one, with instructions to amend by inserting in line 1, Section 1, after the words "United States," the words "or who has not declared his intention to become such."

So ordered.

Mr. Cutter was appointed as such committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No 80—An Act to provide for the employment of citizens of the United States upon public works within this State—with instructions to amend the same by inserting in line 1, Section 1, after the words "United States," the words "or who has not declared his intention to become such," would respectfully report that the instructions of the House have been carried out.

CUTTER, Committee.

Adopted.

Ordered to reëngrossment and printer.

Assembly Bill No. 49—An Act to provide for a lunch hour for employés.

Passed on file.

Assembly Bill No. 40—An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays.

Passed on file.

Assembly Bill No. 68—An Act to amend "An Act to establish the fees of county, township, and other officers, and of jurors and witnesses, in this State, relating to fees to be paid County Clerks.

Passed on file.

Assembly Bill No. 18—An Act to amend clause 37, Section 25, County Government Act.

Passed on file.

Assembly Bill No. 57—An Act to amend Section 792 of the Political Code so as to prohibit a county officer or his deputy from being a notary public.

Passed on file.

Assembly Bill No. 150—An Act to define the duties and liabilities of employment agents.

Passed on file.

Assembly Bill No. 6—An Act authorizing the appointment of an interpreter of the Japanese language in criminal proceedings, in cities, and cities and counties, of one hundred thousand inhabitants and over.

Passed on file.

Assembly Bill No. 139—An Act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof.

Passed on file.

At three o'clock and twenty-five minutes P. M., Mr. Belshaw was called to the chair.

Assembly Bill No. 268—An Act to provide for the annual salaries of the Judges of the Superior Court of the City and County of San Francisco.

Mr. Dibble moved that this bill be passed on the file.

So ordered.

At three o'clock and thirty minutes P. M., Mr. Dibble resumed the chair.

Assembly Bill No. 264—An Act to amend Section 172 of the Civil Code, relative to the management and control of community property.

Passed on file.

Assembly Bill No. 260—An Act to validate the organization and incorporation of municipal corporations.

Passed on file.

Mr. Valentine called up for consideration Assembly Bill No. 18, which had been temporarily passed on file.

Assembly Bill No. 18—An Act to amend clause 37, Section 25, County Government Act.

Pending consideration, the bill was passed on file.

Assembly Bill No. 4—An Act to protect all citizens in their civil and legal rights.

Passed on file.

Assembly Bill No. 14—An Act to amend Section 2955 of the Civil Code of California, respecting the mortgaging of personal property.

Passed on file.

Assembly Bill No. 173—An Act to add a new section to the Penal Code of the State of California, to be known and designated as Section 180, relating to the acceptance and holding of private deposits of moneys, or other valuables, in the county treasury by the County Treasurers.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Anderson, Austin, Belshaw, Bettman, Bridgford, Burnett, Canavan, Chynoweth, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Foreman, Godfrey, Goff, Guy, Harris, Henry, Houghton, Hudson, Jones, Keables, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Mead, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Vosburg, Waymire, and Wright—50.

NOES—Messrs. Allen and Hill—2.

Title read and approved.

SECOND-READING FILE.

Mr. North, of Alameda, moved that the Assembly do now take up the consideration of second reading file.

So ordered.

By Mr. Strain: Assembly Bill No. 676—An Act to amend Section 737 of the Political Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Belshaw: Assembly Constitutional Amendment No. 30—Proposed amendment to Article XIII, Section 1, of the Constitution, relative to revenue and taxation.

Referred to Committee on Constitutional Amendments.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 1—Proposed amendment to Section 1 of Article XVIII of the Constitution, relative to amendments.

Also: Assembly Constitutional Amendment No. 2—Proposed amendment to Section 1, Article IV, of the Constitution, relative to legislative power.

Also: Assembly Constitutional Amendment No. 3—Proposed amendment to Section 11, Article XI, of the Constitution, relative to elections.

Have had the same under consideration, and respectfully report the same back without recommendation.

Ordered on special file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1897.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to Section 8 of Article 1 of the Constitution of the State of California, relative to grand juries—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended.

Ordered on special file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 1 of Article XIII, relative to exemption from taxation—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

Assembly Constitutional Amendment No. 14 withdrawn by author.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to Section 12 of Article XIII of the Constitution of the State of California, by providing that persons voting at a general election shall be exempt from the payment of poll tax—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary.

Assembly Constitutional Amendment No. 19 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 21—A resolution proposing an amendment to Section 1 of Article XVIII of the Constitution of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do not be adopted.

Ordered on special file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 22—Proposing an amendment to Section 1 of Article XIV of the Constitution of the State of California, relative to the manner of fixing rates for the use of water supplied to cities, or cities and counties, having a population of one hundred thousand inhabitants and over, or the inhabitants thereof—have had the same under consideration, and respectfully report the same back, and recommend that it be sent to Mayor Phelan, of San Francisco, for his opinion.

SIMS, Chairman.

MOTION.

Mr. Belshaw moved that Assembly Constitutional Amendment No. 22 be re-referred to Committee on Constitutional Amendments for proper report.

So ordered.

REPORT OF STANDING COMMITTEE—(RESUMED).

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 23—A proposition to amend the Constitution by striking out Sections 22 and 23 of Article XII, relating to a Railroad Commission—have had the same under consideration, and respectfully report the same back, and recommend that it do not be adopted.

Ordered on special file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No 24—A resolution to propose to the people of the State of California an amendment to Section 12 of Article XIII of the Constitution of the State of California, relative to the levy and collection of a poll tax—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

Ordered on special file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1897.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred 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, relative to revenue and taxation—have had the same under consideration, and respectfully report the same back without recommendation.

SIMS, Chairman.

Ordered on special file.

RESOLUTION.

By Mr. Cutter:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for twenty-five ($25) dollars in favor of W. O. Banks, Sergeant-at-Arms of Assembly, from the Contingent Fund, to pay for articles as per attached bill:

To H. S. Crocker Co, Dr.:

February 1—One set Deering's Annotated Codes $25 00

On motion of Mr. Cutter, the rules were suspended and the resolution adopted.

SECOND-READING FILE.

Assembly Bill No. 196—An Act: Be it enacted by the Assembly in session, 1897, the Senate concurring, that the following Act be added to the road law of California, to be numbered Section 2737½, Article VIII.

Passed on file.

Assembly Bill No. 199—An Act to amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gate.

Passed on file.

Assembly Bill No. 183—An Act to amend Section 690 of the Code of Civil Procedure, relating to exemptions from execution.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by adding, after the word "State," line 101, of the printed bill, the words and figures as follows: "Any material purchased in good faith for use in the construction, alteration, or repair of any building, mining claim, or other improvement, as long as in good faith the same is about to be applied to the construction, alteration, or repair of such building, mining claim, or other improvement."

Adopted.

AMENDMENT No. 2.

Amend by inserting after the word "debtor," in line 17 of printed bill, the words "not to exceed in value one thousand dollars."

Adopted.

AMENDMENT No. 3.

Amend by adding after the word "livelihood," in line 59 of printed bill, the words "also seaman's and fisherman's wages."

Adopted.

AMENDMENT No. 4.

Amend by adding, after "profession," in line 37, of printed bill, the words "also one typewriting machine and one bicycle in actual use."

Adopted.

Assembly Bill No. 190—An Act to amend Section 32 of an Act approved March 26, 1895, entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors."

Passed on file.

ADJOURNMENT.

At four o'clock and ten minutes P. M., on motion of Mr. North, of Alameda, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 2, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of January 30th was approved.

SPECIAL ORDERS.

Mr. Shanahan moved that all constitutional amendments on the file as special orders before the Assembly be re-referred to the Committee on Judiciary.

Mr. Mead moved to amend Mr. Shanahan's motion by excluding Assembly Constitutional Amendment No. 9.

Mr. Shanahan accepted the amendment.

Mr. Bridgford moved as an amendment that all special orders be postponed and made special order for Thursday morning, immediately after the reading of the Journal.

Mr. Shanahan accepted the amendment.

Motion, as amended, adopted.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.:

Assembly Bill No 76—An Act to amend Section 261 of the Penal Code of the State of California, relating to the crime of rape, and what constitutes the same.

Also: Assembly Bill No. 89—An Act to amend an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895, by amending Sections 6 and 69 thereof, relating respectively to the appointment of a time for the election of an assignee and to costs in cases of involuntary insolvency

Also: Assembly Bill No 123—An Act to amend Section 634 of the Political Code, in relation to insurance, approved April 1, 1878.

Also: Assembly Bill No. 128—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. 157—An Act to regulate the width of tires of wagons used on the public highways of the State of California.

AUSTIN, Chairman.

REPORT OF BOARD OF STATE HARBOR COMMISSIONERS.

Speaker Coombs announced the receipt of a communication and report from the Board of State Harbor Commissioners.

Ordered printed in the Journal, and referred to Committee on Commerce and Navigation.

BOARD OF STATE HARBOR COMMISSIONERS,
SAN FRANCISCO, February 1, 1897.

To the honorable the Assembly of the State of California:

GENTLEMEN: The Board of State Harbor Commissioners, in reply to the resolution adopted by your honorable body on January 22d, have the honor to report:

SAN FRANCISCO, January 28, 1897.

HON. E. L. COLNON, *President Board of State Harbor Commissioners, San Francisco, Cal.:*

DEAR SIR: In answer to the two questions submitted to me by you, with reference to the resolutions passed by the Assembly, I desire to submit the following. The first question was as follows:

FIRST—*The present condition of the Belt Line Railroad on the waterfront of San Francisco, the use, if any, made thereof, by whom, and under what terms.*

The Belt Railroad, as it at present exists, starts from the easterly line of Powell Street, along the inner portion of the thoroughfare, to the northerly line of Broadway. The

portion from Powell Street to the intersection of Bay Street is a single track—the remaining portion being double—which track consists of three lines of rails for the accommodation of both standard and narrow gauge cars. Spur tracks from this main line run to the two car freight slips at the foot of Lombard Street, and also to the wharves adjacent to these slips The track on the northerly of these two wharves brings the ship and car in direct connection. In this line I desire to state that in the four years that I have been Chief Engineer of this board, this said ship-track has been used but four times, and then for the purpose of unloading coal for the use of the San Francisco and North Pacific Railroad Company. The other track on the wharf spoken of is used for the purpose of loading and unloading cattle on the cars There are also spur tracks to the freight sheds and depot of the following companies: That of the San Francisco and North Pacific Railroad Company, located on Seawall Lot No 12; the Southern Pacific Company's Santa Cruz Division, located on the same seawall lot; and to the freight depot of the North Pacific Coast Railroad Company, located on Seawall Lot No. 8 There is also a spur track that runs to the coal platform of the first mentioned company, located on Seawall Lot No. 14

The road at present is used mainly between Lombard and Vallejo streets. There is a spur track, which is occasionally used, which runs from the main line near the foot of Stockton and Beach streets, which runs into the Golden Gate Lumber Company's yard.

The principal business done by the Belt Railroad is between the freight slips and the freight depots of the above-mentioned railroad companies, which consists in handling the cars from the several car freight boats of these companies and placing them on the sidetracks in front of their respective depots and returning them to the boats when required This is paid for by said companies at the rate of 75 cents per car for each switching; that is, the switching consists of hauling a car from the boat to the freight shed and returning the same. The number of cars thus handled per day for each company, taking an average for a year, is as follows:

For the San Francisco and North Pacific Railroad Company.....21 cars
For the Southern Pacific Company's Santa Cruz Division.....24 cars.
For the North Pacific Coast Railroad Company..... 8 cars.

The switching is done mainly between 6 P. M. and 6 A. M.

With regard to the second question, which reads as follows:

SECOND—*What obstructions, if any, by electric or other railroad tracks have been made, on or near that portion of the Belt Line already constructed, or on or near the line of the proposed extension thereof; by what company or companies have the same been made, and by what authority.*

All of those street railroad companies which occupy East Street north of Market Street, and one of those which occupy said street south of Market Street, were originally there under franchises granted by the Board of Supervisors of the City and County of San Francisco (At the time the said companies built along East Street, the city then had jurisdiction over the inner seventy-five feet of said street.) Prior to November, 1893, there were four tracks on East Street north of Market Street. At that time the Commissioners, at the suggestion of the Chief Engineer, compelled all companies to use two tracks in common; thus doing away with two tracks and gaining fifteen feet additional room. This was done in anticipation of the extension of the Belt Railroad, and from my own knowledge it has been the expressed policy of the board to compel those companies south of Market Street on East Street to occupy two tracks in common upon the completion of the new union depot and ferry-house.

There are no obstructions to the Belt Railroad as far as the same exists; nor will there be any from any street railroad at the present time on the waterfront when the said Belt Railroad is extended.

The annexed permits to street railroads for tracks and stands at the new depot have been given from time to time, but said permits only exist at the pleasure of the board, and may be revoked at any time by them. The prospective crossing of the street lines and Belt Railroad have been anticipated, insomuch that they have been so arranged that said crossings only occur on portions of straight tracks and not on curves; it has also been especially stipulated that when the aforesaid crossings are required, they shall be built wholly at the expense of the street railroads and to the satisfaction of the engineer of the board

In the accompanying copies of permits and minutes the roads known as the Hayes Valley, City, Omnibus, North Beach and Mission, Powell, and Broadway roads have since been absorbed by the Market Street Railroad Company, and are known as the Market Street Cable Railroad Company.

The right to use cable upon the various lines of the Market Street road was contained in the original franchises granted to them by the City and County of San Francisco.

With regard to the subsequent granting of the use of the overhead system to the Broadway, Mission, and Folsom branches, it was refused, on recommendation of the Chief Engineer, on March 17, 1892. It was undoubtedly done by the misleading advice of said engineer, who, in his report at that time, stated that the trolley system was only in use in suburban districts and on highways, when, at that period, it had been universally used in the cities of Boston, Philadelphia, Chicago, Portland, Minneapolis, St. Paul, and many others; in fact, thousands of miles of trolley system were then in operation on crowded thoroughfares, and is to-day the only non-experimental and successful system of electric railroads.

The aforesaid right to use poles was granted only under the strongest restrictions; provision being made for the common usage by other companies of the poles and span wires.

Accompanying the report I submit plan showing the proposed location of the extension of the Belt Railroad along that portion of the thoroughfare occupied by the various street railroads

Respectfully submitted.

HOWARD C. HOLMES, Chief Engineer.

The following extracts from minutes and reports of Chief Engineers are correct copies.

J. J. KEEGAN,
Secretary Board of State Harbor Commissioners.

Location of Street Railroad Companies. [Minutes, Nov. 16, 1877.]

The following resolution was submitted and adopted.

Resolved, That the street railroad companies be informed that the board have adopted a plan for their track and station at the Oakland ferry, which is on file in their office, and they are directed to rearrange their tracks and stations in accordance therewith as soon as practicable

This had reference to the following railroad companies: Sutter St. R. R. Co, North Beach and Mission Railroad Co., Central Railroad Co, Omnibus Railroad Co, Valencia Street Railroad Co, Hayes Valley Railroad Co., Fifth Street Railroad Co, and City Railroad Co.

Presidio and Ferry Railroad Company. [Minutes, Nov. 29, 1881.]

Ordered that the Presidio and Ferry Railroad Company, its successors and assigns, be and are hereby allowed the privilege to lay two railroad tracks, with the necessary switches and turnouts, on East Street, northerly from the Oakland ferry buildings, west of and adjoining the railroad tracks of the Central Railroad Company, to occupy a space about twenty feet wide and two hundred and fifty feet long. Also, permission to lay a single track along the outer half of East Street, and west of the Central Railroad Company's track from Jackson to Montgomery streets. All as shown on the map marked "Map showing the location of the tracks of the Presidio and Ferry Railroad Company, November 25, 1881," on file in the office of the Chief Engineer of the Board of State Harbor Commissioners, and subject to the following conditions:

That the said company shall remove said rails and tracks from East Street within thirty days after notice from the Board of State Harbor Commissioners that this privilege is revoked.

That the said company shall keep in perfect repair the tracks and space between their track, and also shall bear equally with the Central Railroad Company the expense of keeping in repair the space between their tracks and those of the Central Railroad Company, and in default of doing so the Harbor Commissioners may repair the same at the expense of the said company.

Omnibus Railroad Company—City Railroad Company. [Minutes, May 25, 1888.]

The Omnibus Cable Company and the City Railroad Company, having on the 23d inst. presented to the board a map or plan showing the route and location of the tracks and turntables of said companies, which is marked as follows: "Plan showing location of tracks and turntables of the Omnibus Cable Company and the City Railroad Company, May 23, 1888":

On motion of Mr. Wise, seconded by Mr. Paulsell, said plan was adopted and placed on file.

The following petition was then read, and, on motion of Mr. Wise, seconded by Mr. Paulsell, was ordered to be filed and recorded in full on the board's records:

To the honorable the Board of State Harbor Commissioners:

The Omnibus Cable Company respectfully petitions your honorable body to grant it the privilege of constructing and operating a cable railway from the intersection of Howard Street with East Street, in the City and County of San Francisco, to the turntable near the Oakland ferry, hereinafter mentioned, and also to construct and operate a turntable and approaches at or near said Oakland ferry. The said cable railway and turntable are correctly laid down and marked on a map or plan accompanying this petition, and filed herewith, which said map or plan is marked as follows: "Plan showing location of tracks and turntables of the Omnibus Cable Company and the City Railroad Company, May 23, 1888"

OMNIBUS CABLE COMPANY.
GUSTAV SUTRO, President.

The following resolution was then read and adopted, on motion of Mr Wise, seconded by Mr Paulsell:

WHEREAS, The Omnibus Cable Company have petitioned for the privilege of constructing a turntable and its approaches, and constructing and operating its cable railway, on the property near the Oakland ferries, which is within the jurisdiction of this board, as appears by its petition and accompanying plan, which is filed and has been

adopted and is marked "Plan showing location of tracks and turntable of the Omnibus Cable Company and the City Railroad Company, May 23, 1888," to which petition and plan reference is hereby had—*It is ordered that the Omnibus Cable Company be and it* is hereby given the privilege of constructing a turntable and its approaches at the point designated therefor on said plan and marked in red ink, thus: "Turntable of the Omnibus Cable Co," and the privilege of constructing and operating its cable railroad on East Street from the point where it will enter upon the outer half of said East Street on said plan. Said turntable and its approaches and said tracks and railway are to be constructed even with the grade of East Street, and in strict conformity with said plan and measurements that appear thereon, and must be fully completed within forty-five days from the time work is commenced thereon. All the work relating thereto must be done in a first-class manner and under the direction and to the entire satisfaction of the board and its Chief Engineer.

These privileges, hereby given, are to continue during the pleasure of the board, and said company so accepts them, and further accepts them subject to and upon these conditions:

First—That it will promptly, at its own expense, remove all its rails and tracks, turntables, and approaches, and all their appurtenances, whenever this board gives it notice that the privileges hereby given are revoked.

Second—That it will, in case the North Beach and Mission Railroad Company, or any other street or cable company, be hereafter authorized by this board to extend its line to the Oakland ferry along East Street, permit said North Beach and Mission Railroad Company, or such other street or cable company (upon paying its proportionate compensation therefor), to run over and upon its tracks and use its cable along said East Street to the place of the turnout to the turntable which may be used by said North Beach and Mission Railroad Company, or such other street or cable company.

Third—That it will, at its own expense, keep all the territory within, and for the space of three feet on either side outside the lines of its tracks, and for the space of eight feet outside its turntable and the approaches thereto, clean and in good repair, so as not to be in the least offensive to the traveling public, and in default of so doing the board can repair the same at the expense of said company.

Fourth—That neither the State, nor this board, nor its members, nor any of its officers, shall be liable for any damage done to said Omnibus Cable Company by the construction of the seawall and the improvements to be placed thereon.

Omnibus Cable Railroad Co.—Sutter Street Railroad Co.—North Beach and Mission Railroad Co. [Minutes, May 10, 1888.]

On motion of Mr. Paulsell, seconded by Mr. Wise, the following resolution was adopted:

WHEREAS, This board did, on the 16th day of November, 1877, adopt a plan relating to the manner in which the several street railroad companies should construct their tracks and stations at the Oakland ferries, which plan is on file in this office, and is entitled as follows: "Plan for street railroad tracks, stations, and passageways in front of Oakland ferry slips, adopted by Board of Harbor Commissioners, November, 16, 1877"; and

WHEREAS, This board did, on the 8th day of May, 1888, receive and order to be placed on file a plan relating to the several railroad companies now having terminal facilities or using the property of the within, the jurisdiction of this board, north of Market Street, which last-mentioned plan is entitled as follows: "Plan of proposed route submitted by Ferries and Cliff House Railway Company," and is marked "Filed May 8, 1888";

Resolved, That this board does hereby adopt said last-mentioned plan, and that the said several street railroad companies, namely, the Central Railroad Company, the Omnibus Cable Railroad Company, the Sutter Street Railroad Company, and the North Beach and Mission Railroad Company, are hereby directed to rearrange their tracks and switches in accordance with said last-mentioned plan as soon as practicable, in a good and workmanlike manner and to the satisfaction of the Chief Engineer of this board.

Such privileges as are hereby granted to the said above-mentioned street railroad companies are to be held by them during the pleasure of this board.

On motion of Mr. Paulsell, seconded by Mr. Wise, the following resolution was adopted:

WHEREAS, The Ferries and Cliff House Railway Company, a corporation, has filed a petition accompanied with a plan entitled "Plan of proposed route submitted by Ferries and Cliff House Railway Company," filed May 8, 1888, asking for a license to construct their tracks and run their cars over a portion of East Street as described in said petition and shown on said plan, and have also filed a written agreement entered into between said company and the Central Railroad Company, the Omnibus Railroad Company, the Sutter Street Railroad Company, and the North Beach and Mission Railroad Company, by which they are obligated at their own expense to make such changes in the tracks and switches of said companies above named as the adoption of said plan makes necessary;

Resolved, That the Ferries and Cliff House Railway Company are hereby given license to construct their tracks and run their cars upon a portion of East Street, the center line of which is described as follows: Commencing at a point where the center line of Clay Street extended in an easterly direction intersects the inner line defining the jurisdic-

tion of the Board of State Harbor Commissioners, and running thence easterly on said extended line of Clay Street two and sixty-one one-hundredths feet, thence on a curve to the right with a radius of seventy-five feet over an arc of eighty-seven degrees and thirty-five minutes, thence at a tangent to said curve in a southerly direction to a line defining the jurisdiction of said Board of State Harbor Commissioners, said tangent to be parallel to, and twenty-five feet distant from the center of the present ingoing track now used by the Omnibus, the Central, the Sutter, and the North Beach and Mission railroad companies. This license is to continue during the pleasure of the board, and said tracks are to be built by said company in strict accordance with said plan and to the satisfaction of the Chief Engineer of this board, and said company is to keep, at its own expense, all the territory within and for the space of three feet on either side outside the lines of their tracks clean and in good order, so as not to be in the least offensive or objectionable to the traveling public.

The board reserves all rights conferred upon it by law upon every portion of East Street.

City Railroad Company. [Minutes, May 25, 1888.]

The following petition of the City Railroad Company was then read, and on motion of Mr. Wise, seconded by Mr. Paulsell, it was ordered to be filed and recorded in full on the board's records:

The City Railroad Company respectfully represents to your honorable body that it holds a franchise from the Board of Supervisors of the City and County of San Francisco for a double-track railway from the intersection of Mission and East streets along East Street to Market Street, and desire to obtain from your honorable body your consent or approval to the construction and operation of said railway, and also petitions your honorable body to grant it the privilege of constructing and operating a turntable near the Oakland ferry and approaches therefrom for the purpose of connecting the said line of railroad with such turntable. The said railway and turntable are in lieu of the railway and turntable already laid down and now operated by said company, and are correctly laid down and marked on a map or plan accompanying this petition and filed herewith, which said map or plan is marked as follows: "Plan showing location of tracks and turntables of the Omnibus Cable Company and the City Railroad Company, May 23, 1888."

San Francisco, May 24, 1888.

(Signed:) CITY RAILROAD COMPANY.
CHAS. F. CROCKER, President.

The following resolution or order was then read, and on motion of Mr. Wise, seconded by Mr. Paulsell, was adopted:

WHEREAS, The City Railroad Company have petitioned for the privilege of constructing a turntable and its approaches and constructing and operating cable railway on the property near the Oakland ferries which is within the jurisdiction of this board, as appears by its petition, accompanied with a plan which is on file and has been adopted and is marked "Plan showing location of tracks and turntables of the Omnibus Cable Company and the City Railroad Company, May 23, 1888." To which petition and plan reference is hereby had.

It is ordered that the City Railroad Company be and it is hereby given the privilege of constructing a turntable and its approaches at the point designated therefor on said plan marked in red ink, thus: "Turntable of the City Railroad Company," and the privilege of constructing and operating its cable railway on East Street from the point where it will enter upon the outer half of said East Street as shown on said plan.

Said turntable and its approaches and said tracks and railway are to be constructed even with the grade of East Street and in strict conformity with said plan and the measurements that appear thereon, and must be fully completed within forty-five days from the time work is commenced thereon. All the work relating thereto must be done in a first-class manner and under the direction and to the entire satisfaction of the board and its Chief Engineer.

These privileges hereby given are to continue during the pleasure of the board, and are in lieu of those given said company on May 12, 1878, and said company so accepts them, and further accepts them subject to and upon these conditions.

First—That it will promptly, at its own expense, remove all its rails and tracks, turntables and approaches, whenever this board gives it notice that the privileges hereby given are revoked

Second—That it will in case the North Beach and Mission Railroad Company, or any other street or cable company, be hereafter authorized by this board to extend its line to the Oakland ferries along East street, permit said North Beach and Mission Railroad Company, or such other street or cable company (upon paying its proportionate compensation therefor), to run over and upon its tracks, and to use its cable along East Street to the place of the turnout to the turntable that may be used by said North Beach and Mission Railroad Company, or such other street or cable company.

Third—That it will, at its own expense, keep all the territory within and for the space of three feet on either side outside the lines of its tracks, and for the space of eight feet outside its turntable, and the approaches thereto, clean and in good repair, so as not to be in the least offensive to the traveling public, and in default of so doing the board can repair the same at the expense of said company.

Fourth—That neither the State, nor this board, nor its members, nor any of its officers, shall be liable for any damages done to said City Railroad Company by the construction of the seawall and the improvements to be placed thereon.

North Beach and Mission Railroad Company. [Minutes, March 22, 1892]

The North Beach and Mission Railway Company was granted permission to lay down rails for their street railroad on East Street, from Folsom to near Market, according to the recommendation of the Chief Engineer on file.

Report of Chief Engineer Manson on N. B. & M. Railway Company.

SAN FRANCISCO, CAL., March 17, 1892.

To the honorable the Board of State Harbor Commissioners:

GENTLEMEN I respectfully report in the matter of the application of the N. B. & M. Railway Company for the privilege of building a street railway upon East Street, from Folsom to near Market, and operate the same by electricity applied from overhead wires and trolleys, the wires to be suspended from center poles having arms to the center of each track.

The route which will least inconvenience traffic and future development is as follows: The track from Folsom Street to Howard Street to be parallel with the building line, and the westerly rail to be 44′ 6″ distant therefrom, from Howard Street to opposite the terminal, the N. B & M. Railway to use the two inner rails of the Omnibus Cable track, and to lay one outer rail on each side to accommodate the wider gauge of their cars, with proper switches and curves for a turnout to the terminal just south of the present crosswalk.

It is recommended that this route be granted.

In the matter of motive power:

The applicants have asked for permission to use the overhead wire and trolley system. This is permissible in suburban streets and highways, but is objectionable in so crowded a thoroughfare as East Street is destined to be. The application is based upon a franchise granted by the city and upon subsequent laws permitting the use of electricity over all rights of way and franchises, giving power to use other methods, but restricting such use of electricity as regards public commerce and welfare. The overhead wire and trolley system is one of several methods of using electricity, and is chosen for its cheapness and ready application. To inaugurate its use on the waterfront highway would greatly impair its usefulness, and render it advisable to deny future applications of the same character.

It is therefore recommended that the privilege to use electricity by this method be denied.

Very respectfully,

MARSDEN MANSON, Chief Engineer.

Broadway Electric Railroad. [Minutes, Nov 9, 1893]

On motion of Mr Brown, seconded by Mr. Bassett, the Market Street Railway Company was granted the privilege of laying street railroad tracks on East Street, from Broadway to the north line of Jackson Street, extended easterly, according to plans submitted and dated November 9, 1893. Said company to construct all crossings of the Belt Railroad at their expense, and to perform all work according to the directions and to the satisfaction of the Chief Engineer of the board, and to remove any or all rails at the order of this board.

Agreement to Grade and Repave Portion of East Street. [Minutes, Dec. 7, 1893.]

H. H. Lynch, of the Market Street Railway Company, appeared before the board and agreed to raise to grade and repave the center sixty feet of East Street, between Broadway and Jackson streets.

Location of the Railroad Termini. [Minutes, Aug. 22, 1893.]

The plan for the location of the termini of the street railway companies at the foot of Market Street, submitted by the Chief Engineer, was adopted by the board. The Chief Engineer also presented suggestions regarding the pattern of rail to be used, character of paving, etc., to be laid by the companies, and that each company must bear the expenses of crossings on the Belt Railroad when it shall be extended, was also adopted by the board.

Permission Granted Market Street Railway Company to Erect Poles and Wires on East Street [Minutes, April 3, 1894.]

On motion of Mr. Cole, seconded by Mr. Chadbourne, the following resolution was adopted:

"*Resolved*, That the application of the Market Street Railway Company, dated March 29, 1894, to erect poles and wires on East Street, between Folsom and Market streets, as therein named, be and the same is hereby granted, subject at all times to control thereof and termination of any right at the pleasure of this board, without notice, and subject further to all of the terms and conditions as specified in the report of the Chief Engineer in regard thereto, which has this day been adopted and filed."

Report of Chief Engineer Holmes on Erecting Electric Poles on East Street, between Broadway and Folsom streets, by the Market Street Railway Company.

SAN FRANCISCO, CAL., April 3, 1894.

To the honorable the Board of State Harbor Commissioners:

GENTLEMEN: I desire to submit the following suggestion with regard to placing of poles on East Street, between Broadway and Folsom streets, by the Market Street Railway Company:

First—The poles where the span is one hundred and twenty feet or less should be constructed of extra strong or hydraulic pipe (in three lengths of six, seven, and eight inches in diameter, inside measurements) with cast-iron trimmings at joints, top, and base. They should be set in blocks of concrete, three feet square, at least five feet long, containing not less than one fifth part cement.

The longer spans to have special poles, such as may be accepted by the Chief Engineer of the board.

Span wires to be of galvanized steel cable, three eighths of an inch in diameter.

The guard wire to be of No. 4 B. and S. gauge, galvanized steel wire.

The span wire for guard wire to be of separate wire of one fourth of an inch in diameter, galvanized steel cable, and the said guard wire to be insulated from its own span wire with special guard wire insulated holders of approved design.

Second—There should be track and overhead switches from one track to the other, just west of East Street, on Folsom, Mission, and Broadway streets, and the wires should be divided into sections at each of these streets by means of trolley wire sectional insulators of approved design, which shall thoroughly insulate the different portions of trolley from each other. In other words, the portion of trolley on East Street should be capable of being cut out of the main lines.

If desired, the sections of trolley wire thus insulated may be connected together through a high tension switch and fuse block. This switch should be of the proper size, so that the circuit may be open when full load is on east section of trolley wire.

If separate feeders connect into East Street section of trolley wire, there should be a high tension switch and fuse block in each feeder circuit, so placed that the feeder may be cut off from the trolley wire on East Street at the nearest point. These sectional switches and fuse blocks should be in an easily accessible position.

The object of the above would be that in case it is necessary at any time to temporarily remove the trolley on East Street for the purpose of moving a building or pile-driver, or in case of a fire, that the current may be cut off from that portion of the wires on East Street without stopping the balance of the road.

Trolley wires should be placed at least twenty-one feet above the surface of the track. All work should be done to the satisfaction of the Chief Engineer of the board.

I would also suggest that if in the near future such improvements are made in the operating of electric railroads as to dispense with the overhead construction, that it be understood with the Market Street Cable Railroad Company that they will make such changes and improvements when requested by the Board of State Harbor Commissioners.

Respectfully submitted.

HOWARD C. HOLMES, Chief Engineer.

THIRD—*What arrangements, plans, or contracts, if any, have been made for the use of any part, or all, of the new Market Street depot when completed, with what company or companies have the same been made, and by what authority.*

Responsive to the foregoing interrogative, the board desires to say that they have made no arrangements with any party or parties whatever for the use of the new ferry building when completed. The only negotiations that have been undertaken relative to space and rent have been conducted with the postal agents of the Federal Government, looking to the settlement of the matter of the space required, and the rent which the department is willing to pay for accommodations in the new edifice, in order that such changes in the partitioning of space as are necessary may be made in time to prevent any interruption in the work of construction. The proposition of the board is that the Government shall pay a flat rate of $1,000 a month for the space indicated in the report of the architect herewith presented; but the agents of the Government insist that this shall include lighting. We think that an agreement can be reached whereby the State will procure a permanent tenant at a good rental (not less than $800 net, probably), and as this can be done without encroaching upon the area necessary to accommodate the public, the board are in favor of the proposition, especially as the establishment of a distributing point for mail matter at the ferries would be a great convenience to the people in facilitating the dispatch of mail matter.

There is no lease of any State property on the waterfront except that authorized by the Act of March 26, 1895, relating to certain seawall lots, and there can therefore be no lease of privileges in the new depot. All tenants are now and will hereafter be subject to the will of the board. The first section of the new building, the steel work of which is now erected, will not be available for occupancy inside of a year, so that the question of rentals, excepting the case of the post office, which will require an elevator and some other important changes in the construction, is some distance in the future. The divisions of space set forth in the report of the architect herewith presented have been made

solely with a view to the accommodation of the traveling public after a careful study by the board and its officers of the needs of the situation.

The board would call the attention of your honorable body to the difficulty of erecting so large a structure practically over the heads of the people, an average of thirty thousand of whom pass to and from the ferries daily. It is being built in three sections, the first, or middle, of which it is hoped to have ready for occupancy within a year. Not until this is finished and occupied can work be commenced upon the remaining portions. The utmost care is constantly required to prevent the danger of accidents to the traveling public, many of whom are obliged to pass under portions of this great construction on their way to and from the ferries. Thus far no harm has come to any one.

FOURTH—*What arrangements, plans, or contracts, if any, have been made for the use of any slip at the foot of Market Street and adjacent space, with what company or companies, for what purposes, for what length of time, at what rental, and under what conditions and reservations.*

Ferry Slips Foot of Market Street Assigned.—The ferry slips at the foot of Market Street, adjacent to the union depot and ferry-house, have been assigned to the following companies, and the monthly rentals fixed as follows:

Slip No. 1, North Pacific Coast Railroad Company	$400 00
Slip No. 2, San Francisco and North Pacific Railroad Company	500 00
Slips Nos. 4, 5, 6, and 7, and the south side of the wharf next to Slip No. 7, which is occupied by the Sacramento River boats of the Southern Pacific Company	3,500 00

The assignments are made in lieu of dockage only, tolls being collected on all freight, etc, and are terminable at the pleasure of the board. During the erection of the foundations of the approaches to ferry slips and the union depot and ferry-house, the ferry-boats have been often moved from the slips assigned them as the exigencies of travel and construction demanded.

FIFTH—*What addition, if any, has been made to the original estimate of cost of said depot, including foundations thereof, giving such original estimate, total cost when completed, and from what fund payments have been and are now being made.*

Union Depot and Ferry House, and Foundation—The following statement shows the cost of the foundations to approach the ferry-slips on which the union depot and ferry-house is being erected, and the cost of the building, and the total cost of both, including the fees of the architects, and the funds from which they have been paid. The total amount of cement contracted for is given in the statement, but only the actual amount used in the construction is charged to the foundations The remaining 4,181 barrels, costing $10,243 45, were used in the construction of cylinder piers for Pacific and Folsom Street wharves, and was charged to the expense of those piers.

In the payment of the fees of the architect for the building, a draft for $12,500 was paid to A. Page Brown, architect, drawn against the San Francisco Harbor Improvement Fund, which was allowed by the State Board of Examiners; but all subsequent payments of architect's fees have been paid by drafts drawn against the San Francisco Depot Fund, in accordance with a suggestion of the State Board of Examiners.

ORIGINAL CONTRACTS, WITH ADDITIONS AND DEDUCTIONS, AND AMOUNTS PAID ON EACH, AND FROM WHAT FUNDS PAID.

Foundation and approach to union depot and ferry-house. San Francisco Bridge Company, contractors:		
Contract price	$247,887 00	
Deductions from contract	8,109 40	$239,777 60
Paid out of San Francisco Harbor Improvement Fund		$239,777 60
Cement for foundation and approaches to union depot and ferry-house. J D. Spreckels & Bros. Co, contractors:		
Contract price—		
Lot No 1, 13,300 bbls, @ $2 40	$31,920 00	
Lot No. 2, 13,300 bbls, @ $2 40	31.920 00	
Lot No. 3, 13,300 bbls., @ $2 45	32,585 00	$96,425 00
Paid out of San Francisco Harbor Improvement Fund		$96,425 00
Amount of cement actually used in foundation:		
26,600 bbls, @ $2 40	$63,840 00	
9,119 bbls, @ $2 45	22,341 55	$86,181 55
Balance of cement, 4,181 bbls., used in cylinder piers at Pacific and Folsom streets:		
4,181 bbls, @ $2 45		10.243 45
		$96,425 00

Architect, A. Page Brown. Contract price—		
2½% of contract price of foundation, $239,777 60	$5,994 44	
2½% of contract price of cement (used), $86,181 55	2,154 54	$8,148 98
Paid out of San Francisco Harbor Improvement Fund		$8,148 98
Actual total cost of foundation:		
Architect fees	$8,148 98	
San Francisco Bridge Company, masonry	239,777 60	
J. D. Spreckels & Bros. Co., cement	86,181 55	$334,108 13

Union Depot and Ferry-House.

Carpenter work, plastering, and glazing. Bateman Bros., contractors:		
Contract price		$48,400 00
Jan. 14, 1897—Addition to contract		2,994 00
Total amount of contract		$51,394 00
Amounts paid—		
Jan. 25, 1896—Paid out of San Francisco Depot Fund	$33 00	
July 9, 1896—Paid out of San Francisco Depot Fund	1,090 60	
Aug. 11, 1896—Paid out of San Francisco Depot Fund	5,115 00	
Jan. 12, 1897—Paid out of San Francisco Depot Fund	972 00	7,210 60
Balance due		$44,183 40
Galvanized iron work, roofing, and skylights. William Cronan, contractor:		
Contract price		$43,599 00
Dec. 10, 1896—Addition to contract		2,875 00
Total amount of contract		$46,474 00
Plumbing and gasfitting. E. James Duffy, contractor:		
Contract price		$11,123 00
Jan. 12, 1897—Addition to contract	$2,063 00	
Jan. 14, 1897—Addition to contract	715 00	2,778 00
Total amount of contract		$13,901 00
Painting. George J. Smith & Sons, contractors:		
Contract price		$12,900 00
Constructional wrought-steel and cast-iron. Risdon Iron and Locomotive Works, contractor:		
Contract price		$188,000 00
Oct. 29, 1896—Addition to contract	$1,550 00	
Oct. 30, 1896—Addition to contract	1,449 00	
Nov. 5, 1896—Addition to contract	824 00	
Nov. 5, 1896—Addition to contract	461 30	4,284 30
Total amount of contract		$192,284 30
Amounts paid—		
May 7, 1896—Paid out of San Francisco Depot Fund	$3,082 83	
June 2, 1896—Paid out of San Francisco Depot Fund	6,481 61	
July 2, 1896—Paid out of San Francisco Depot Fund	2,982 90	
Aug. 4, 1896—Paid out of San Francisco Depot Fund	55,745 23	
Sept. 3, 1896—Paid out of San Francisco Depot Fund	12,180 14	
Oct. 1, 1896—Paid out of San Francisco Depot Fund	14,676 42	
Nov. 5, 1896—Paid out of San Francisco Depot Fund	21,048 62	
Dec. 3, 1896—Paid out of San Francisco Depot Fund	16,975 42	
Dec. 8, 1896—Paid out of San Francisco Depot Fund	729 30	
Dec. 17, 1896—Paid out of San Francisco Depot Fund	1,550 00	
Jan. 5, 1897—Paid out of San Francisco Depot Fund	1,449 00	$136,901 47
Balance due		$55,382 83
Masonry. C. F. McCarthy, contractor:		
Contract price		$230,000 00
Sept. 19, 1896—Addition to contract	$2,416 00	
Jan. 26, 1897—Addition to contract	1,492 00	3,908 00
Total amount of contract		$233,908 00
Dec. 17, 1896—Paid out of San Francisco Depot Fund		4,641 00
Balance due		$229,267 00

Cement. J. D. Spreckels & Bros. Co., contractors:		
Contract price, 8,000 bbls. (estimated), $2 35		$18,800 00
Building.		
Amounts of contracts:		
Bateman Bros., carpenter work	$51,394 00	
Wm. Cronan, galvanized iron	46,474 00	
E James Duffy, plumbing	13 901 00	
Risdon Iron and Locomotive Works, iron and steel	192,284 30	
C. F. McCarthy, masonry	234,908 00	
Geo. J. Smith & Sons, painting	12,900 00	
J. D. Spreckels & Bros Co., cement	18,800 00	$569,661 30
Architect fees, 5% on $569,661 30		28,483 06
Total cost of building		$598,144 36
Foundation.		
San Francisco Bridge Company, masonry	$239,777 60	
J. D. Spreckels & Bros. Co., cement	86,181 55	
A. Page Brown, architect fees	8,148 98	
Total cost of foundation		$334,108 13
Total cost of building and foundation		$932,252 49
Architect fees, 5% on $569,661 30	$28,483 06	
Less amount paid A Page Brown out of San Francisco Harbor Improvement Fund	12,500 00	
Amount architect fees to be paid out of San Francisco Depot Fund		$15,983 06
Amount paid architect out of San Francisco Depot Fund		4,026 98
Balance due		$11,956 08
Amount paid out of San Francisco Harbor Improvement Fund		$346,608 13
Amount paid out of San Francisco Depot Fund		585,644 36
		$932,252 49
Amounts paid out of San Francisco Harbor Improvement Fund:		
Cost of foundation	$334,108 13	
Architect fees on building, paid out of Harbor Improvement Fund	12,500 00	$346,608 13
Amounts paid and to be paid out of San Francisco Depot Fund:		
Amounts paid	$152,780 05	
Amounts due	432,864 31	585,644 36
		$932,252 49

SIXTH—*What is the number of slips, also of piers, from which use can be made of said depot for the landing of passengers.*

Available Ferry Slips foot of Market Street.—There are seven ferry slips at the foot of Market Street, contiguous to the depot, which could be used for the landing of passengers. Slip No. 7 is at present occupied by the Creek Route ferryboat, which is engaged chiefly in transporting freight and teams, and the few passengers carried do not pass through the depot. Slip No 3 is unassigned at present, and could be used by any ferryboat desiring to do so. Slips Nos 4, 5, and 6 are used by the Oakland and Alameda ferryboats, the extra slip being utilized when the boats are compelled to lay over by fog or stress of weather. One of these slips, when necessary, could be assigned to another company, and different arrangements made for layover landing. Slip No 1 is assigned to the North Pacific Railroad Company, running to Sausalito; and slip No. 2 to the San Francisco and North Pacific Railway Company, running to Tiburon. The wharf on the northerly side is used by the Union Transportation Company, their boats plying between this city and Stockton, and the United States steamer General McDowell. The wharf on the southerly side is occupied by the boats running to Sacramento, and owned by the Southern Pacific Company.

SEVENTH—*What is the number of rooms suitable for offices, or other use, in said depot, and the area of each.*

HON. E. L. COLNON, *President Board of State Harbor Commissioners, San Francisco, Cal.*

DEAR SIR: Answering your inquiry as to the number of rooms suitable for offices, or other use, in the union depot and ferry-house, and the area of each, I have to report:

Ground Floor.

(Commencing at northerly end of building and running southerly, in the order mentioned below.)

	Square Feet.
Chief Wharfinger, 27.0 x 29.0	783.00
Reporters' room, 15.0 x 20.0	300.00
Baggage-room, N. P. C. R. R., 28.0 x 48.0	1,344.00
Waiting-room, N. P. C. R. R., 56.0 x 94.0	5,264.00
Exit, 28.0 x 96.0	2,688.00
Baggage-room, S. F. & N. P. R. R., 27.0 x 94.0	2,538.00
Exit, 14.0 x 96.0	1,344.00
Waiting-room, S. F. & N. P. R. R., 59.0 x 94.0	5,546.00
Less corner occupied by W. F. & Co., 18.0 x 28.0	504.00
	5,042.00
Wells, Fargo & Co., 28.0 x 28.0	784.00
Driveway, 23.0 x 96.0	2,208.00
Less corner occupied by W. F. & Co., 10.0 x 28.0	280.00
	1,928.00
Post office, 70.0 x 94.0	6,580.00
23.6 x 26.6	622.75
	7,202.75
Main exit, 32.0 x 124.0	3,968.00
Waiting-room, S. P. R. R.	10,528.00
News stand, 28.0 x 14.0	392.00
Two telegraph offices, each 10.0 x 14.0	280.00
Waiting-room, S. P. C. R. R., 84.0 x 94.0	7,896.00
Exit, 28.0 x 96.0	2,688.00
Baggage-room, S. P. R. R. and S. P. C. R. R.	10,248.00

The remainder of area covered by building on ground floor is taken up with the open arcade in front, and open passage at rear.

Second Story.

Open passageway at rear, 28.6 x 663.0	18,895.00
Waiting-room, N. P. C. R. R.	4,200.00
Three exits on line of waiting-rooms	5,400.00
Waiting-room, S. F. & N. P. R. R., 143.0 x 50.0	7,150.00
Waiting-room, S. P. R. R., 168.0 x 50.0	8,400.00
Waiting-room, S. P. C. R. R., 50.0 x 84.0	4,200.00
S. P. Co. baggage department, 27.0 x 49.0	1,323.00
Open nave, 48.0 x 656.0	31,488.00
Three offices, northerly end, each 27.6 x 28.0	2,310.00
Post office	4,320.00
Harbor Commissioners (Secretary's office, storeroom for records, waiting-room, engineer's office, draughting-room, storeroom for samples of materials, water-closets, commissioners' meeting room); total space	7,480.00

Mezzanine.

On the mezzanine story there is space for twenty-three offices, 22.0 x 24.0, with wash-basins, closets, and all needful accessories.

Respectfully submitted.

EDWARD R. SWAINE,
Architect Union Depot and Ferry-House.

EIGHTH—*What is the proposed plan of said board for use of said depot, slips, and piers, and what number of transportation companies can be accommodated by the same.*

As in the case of the charge for rent, except in the instance of the single proposed tenant whose occupancy would require some change in the plans, this matter has not yet been formally considered, the determination being thought to belong to the future, when the personnel of the board will have been changed.

As to the number of transportation companies that can be accommodated by "said depot, slips, and piers," this would depend a great deal upon the volume of the transportation business conducted by said companies. It is safe to say that there will be ample room for all the existing companies having terminal facilities at the foot of Market Street and as many more as will be likely to require such facilities for some time to come. The design of the building is such that additions at either end can be made to it whenever the requirements of traffic demand increased accommodations. The answer to question No. 8, however, may be found also under question No. 8, which covers some of the same ground.

The commissioners regret that they could not have had more time in the preparation of this report, although nothing which is shown by the records has been omitted.

They would prefer, however, to have been given more time in arranging the data in consecutive order and putting the matter in possibly more readable shape; but a letter from the honorable Chairman of the Assembly Committee on Commerce and Navigation, expressing to us the desirability of a prompt response on our part, impelled us to the greatest possible haste consistent with the accuracy of the work.

Should your honorable body desire any additional information on any of the topics enumerated in the resolution directed to us, the members of this commission, together with its Chief Engineer, the Secretary, or such other officers or employés as you may wish to call, will be pleased to appear and give such oral testimony as they may possess.

Very respectfully,

E. L. COLNON,
President Board of State Harbor Commissioners.
J. J. KEEGAN,
Secretary.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 172—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Mr. Shanahan moved that a select committee of one be appointed to amend Assembly Bill No. 172, as follows:

By striking out of Section 2, line 29, the word "eighteen" after the word "within" in printed bill, and inserting the following: "twelve."

So ordered.

Mr. Shanahan was appointed such committee.

REPORT OF SELECT COMMITTEE OF ONE.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 172, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

SHANAHAN, Committee.

Report of committee adopted.

Ordered to reengrossment, to printer, and third reading.

Mr. Shanahan moved that Assembly Bill No. 172 be made special order for Friday morning, immediately after reading of the Journal.

So ordered.

Assembly Bill No. 164—An Act to amend Section 2181 of the Civil Code of California, relating to luggage.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Bettman, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Melick, McCandlish, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Sanford, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Mr. North, of Alameda, moved that Assembly Bill No. 164 be immediately transmitted to the Senate.

So ordered.

Mr. Dibble moved that when a bill is read second time, amended, and ordered to engrossment, a printed copy of the bill, with copies of amendments attached thereto, must be immediately sent to the printer by the clerks at desk, and the original bill to engrossment.

So ordered.

Assembly Bill No. 45—An Act requiring every corporation doing business in this State to pay their employés, 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-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 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.

Mr. Soward moved to amend by inserting in Section 1, page 2, printed bill, line 3, after word "business," the words "or in the performance of labor for it."

Adopted.

Ordered to reëngrossment and printer.

Assembly Bill No. 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing bodies, and repealing conflicting Acts.

Passed on file.

REPORTS OF STANDING COMMITTEES.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 532—An Act to amend Section 173 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, relating to counties of the eleventh class—have had the same under consideration, and respectfully report the same back, and recommend the accompanying bill as a substitute therefor, and recommend that the substitute do pass.

BURNHAM, Chairman.

INTRODUCTION OF BILL.

By Committee on County and Township Governments: Assembly Bill No. 677 (Substitute for Assembly Bill No. 532)—An Act to amend Section 173 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, relating to counties of the eleventh class.

Read first time, and ordered on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 204—An Act relating to the compensation of County Recorders in counties where their compensation is fees instead of salary—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BURNHAM, Chairman.

Assembly Bill No. 204—An Act relating to the compensation of County Recorders in counties where their compensation is fees instead of salary.

Read first time, and ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR SPEAKER: Your Committee on County and Township Governments, to whom was referred Senate Bill No 107—An Act to require an inventory of State and county property, and directing that a record of the same be kept—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BURNHAM, Chairman.

Senate Bill No. 107—An Act to require an inventory of State and county property, and directing that a record of the same be kept.

Read first time, and ordered on Senate special file.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 311—An Act to regulate the liability of railroad corporations with respect to damages sustained by any person, including employés of such corporation, in consequence of the negligence or willful wrongs of said agents, engineers, or other employés—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CUTTER, Chairman.

Assembly Bill No. 311—An Act to regulate the liability of railroad corporations with respect to damages sustained by any person, including employés of such corporations, in consequence of the negligence or willful wrongs of agents, engineers, or other employés.

Read first time, and ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 146—An Act providing for the dissolution of certain corporations doing a banking business—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Banks and Banking.

CUTTER, Chairman.

Assembly Bill No. 146 ordered re-referred to Committee on Banks and Banking.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1897.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 297—An Act to amend Section 3009 of the Political Code, relating to the appointment of officers and employés of the San Francisco Board of Health—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended in committee.

KEABLES, Chairman.

Assembly Bill No. 297—An Act to amend Section 3009 of the Political Code, relating to the appointment of officers and employés of the San Francisco Board of Health.

Read first time, and ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No 538—An Act to amend Sections 2569, 2570, 2571, and 2572 of the Political Code of the State of California, and to add six new sections thereto, to be numbered 2573, 2574, 2574*a*, 2574*b*, 2574*c*, and 2574*d*, relating to the Board of Harbor Commissioners for the port of Eureka, and making an appropriation therefor.

Also: Assembly Bill No 158—An Act to authorize and require the State Board of Harbor Commissioners to commence and complete the construction of a certain portion of the seawall of the port of San Francisco.

Also: Assembly Bill No 568—An Act to provide for the construction and maintenance of a fireboat for the protection of shipping, and appropriating money therefor.

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

POHLMAN, Chairman.

Assembly Bill No. 538—An Act to amend Sections 2569, 2570, 2571, and 2572 of the Political Code of the State of California, and to add six new sections thereto, to be numbered 2573, 2574, 2574*a*, 2574*b*, 2574*c*, and 2574*d*, relating to the Board of Harbor Commissioners for the port of Eureka, and making an appropriation therefor.

Read first time, and ordered on file for second reading.

Assembly Bill No. 158—An Act to authorize and require the State Board of Harbor Commissioners to commence and complete the construction of a certain portion of the seawall of the port of San Francisco.

Read first time, and ordered on file for second reading.

Assembly Bill No. 568—An Act to provide for the construction and maintenance of a fireboat for the protection of shipping.

Read first time, and ordered on file for second reading.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1897.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 478—An Act making an appropriation to pay the deficiency in the appropriation for the payment of expenses incurred in calling the National Guard of California into service, by order of the Governor, during the year 1894.

Also: Assembly Bill No 554—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

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

CROSS, Chairman.

Assembly Bill No. 478—An Act making an appropriation to pay the deficiency in the appropriation for the payment of expenses incurred in calling the National Guard of California into service, by order of the Governor, during the year 1894.

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

Assembly Bill No. 554—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Read first time, and ordered on file for second reading.

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Assembly Bill No. 307—An Act to amend Section 1313 of the Civil Code, relating to restriction on the power of devise to charitable uses.

Also. Assembly Bill No. 431—An Act to amend Section 3641 of the Political Code, relating to the general revenue and taxation of the State, and to property liable to taxation for the purpose of revenue

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

Also: Assembly Bill No. 432—An Act to add a new section to the Political Code, to be known as Section 3609 thereof, relating to the general revenue of this State and to property liable to taxation for the purpose of revenue.

Also: Assembly Bill No 433—An Act to amend Section 3608 of the Political Code, relating to the general revenue of the State and the property liable to taxation for the purpose of revenue.

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

Also: Assembly Bill No. 367—An Act to amend Sections 3633 and 3820; to repeal Section 3640, and to add a new section, numbered 3658½, to the Political Code of the

State of California, relating to the assessment of property and the collection of taxes—have had the same under consideration, and respectfully report a substitute therefor, and recommend that it do pass.

DIBBLE, Chairman.

Assembly Bill No. 307—An Act to amend Section 1313 of the Civil Code, relating to restriction on the power of devise to charitable uses.

Read first time, and ordered on file for second reading.

Assembly Bill No. 367—An Act to amend Sections 3633 and 3820; to repeal Section 3640, and to add a new section, numbered 3658½, to the Political Code of the State of California, relating to the assessment of property and the collection of taxes.

Read first time, and ordered on file for second reading.

Assembly Bill No. 431—An Act to amend Section 3641 of the Political Code, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue.

Read first time, and ordered on file for second reading.

Assembly Bill No. 432—An Act to add a new section to the Political Code, to be known as Section 3609 thereof, relating to the general revenue of this State, and to property liable to taxation for the purpose of revenue.

Read first time, and ordered on file for second reading.

Assembly Bill No. 433—An Act to amend Section 3608 of the Political Code of California, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue.

Read first time, and ordered on file for second reading.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1897.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 138—An Act to amend Section 2003 of the Political Code—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CROSS, Chairman.

Assembly Bill No. 138—An Act to amend Section 2003 of the Political Code.

Read first time, and ordered on file for second reading.

Also:.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1897.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 389—An Act to amend Section 1912 of the Political Code of the State of California, in reference to the number of companies constituting the National Guard of California, and the location thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

CROSS, Chairman.

Assembly Bill No. 389—An Act to amend Section 1912 of the Political Code of the State of California, in reference to the number of companies constituting the National Guard of California, and the location thereof.

Read first time, and ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1897.

MR SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 357—An Act for the protection and propagation of shrimps—have had the same

under consideration, and respectfully report the same back, and recommend that it do not pass.

STRAIN, Chairman.

Assembly Bill No. 357—An Act for the protection and propagation of shrimps.

Read first time, and ordered on file for second reading.

Mr. McGrath moved that Assembly Bill No. 357 be referred back to Committee on Fish and Game.

So ordered.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1897.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 536—An Act to authorize the Board of Fish Commissioners to dispose of the hatchery located on Battle Creek, in Tehama County, and to expend the proceeds of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STRAIN, Chairman.

Assembly Bill No. 536—An Act to authorize the Board of Fish Commissioners to dispose of the hatchery located on Battle Creek, in Tehama County, and to expend the proceeds of the same.

Read first time, and ordered on file for second reading.

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred Assembly Bill No. 581—An Act to amend Section 266 of the Political Code, relating to the compensation of members of the Legislature, and the mileage allowed members—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MELICK, Chairman.

Assembly Bill No. 581—An Act to amend Section 266 of the Political Code, relating to the compensation of members of the Legislature, and the mileage allowed to members thereof.

Read first time, and ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 83—An Act to amend 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 directions in the discharge of his duties as such commissioner," approved March 24, 1893.

Also: Assembly Bill No. 304—An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing and directing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredgers, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act

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

GUY, Chairman.

Assembly Bill No. 83—An Act to amend 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 directions, in the discharge of his duties as such commissioner," approved March 24, 1893.

Read first time, and ordered on file for second reading.

Assembly Bill No. 304—An Act providing for the appointment of

an auditing board to the Commissioner of Public Works, authorizing and directing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredgers, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act.

Read first time, and ordered on file for second reading.

At ten o'clock and twenty-five minutes A. M., the Speaker called Mr. Valentine to the chair.

Mr. Ennis moved that the rules be suspended, and Assembly Bills Nos. 83 and 304 be made a special order for to-morrow morning, immediately after reading the Journal.

Mr. Belshaw moved to amend by making the bills special orders for Friday morning, immediately after reading the Journal.

Mr. Ennis accepted the amendment.

PREVIOUS QUESTION.

Pending the consideration of the question, Mr. Mead moved the previous question, seconded by Messrs. North, of Alameda, and Landsborough.

So ordered.

The question being on the amendment offered by Mr. Belshaw.

The ayes and noes were demanded by Messrs. Dibble, Chynoweth, and Cross.

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

AYES—Messrs Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Caminetti, Canavan, Clarke, Cutter, Damon, Dennery, Elliott, Ennis, Foreman, Goff, Guy, Harris, Henry, Hill, Houghton, Jones, Keables, Kelly, Kenyon, Landsborough, Leavitt, Malcolm, Mead, McCandlish, McLaurin, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Robinson, Ryan, Sanford, Sims, Soward, Stansell, Strain, Valentine, and Wright—47.

NOES—Messrs. Aldridge, Burnett, Chynoweth, Cross, Dibble, Dolan, Dryden, Emmons, Gately, Godfrey, Goodhue, Hudson, Keegan, Lacy, Melick, McClellan, McGrath, Rubell, Shanahan, Toland, Vosburg, and Mr. Speaker—22.

The question now recurring upon the motion of Mr. Ennis to suspend the rules and make Assembly Bills Nos. 83 and 304 special orders.

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

AYES—Messrs Arnerich, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnham, Caminetti, Canavan, Clarke, Cutter, Damon, Dennery, Elliott, Ennis, Fontana, Gately, Goff, Guy, Harris, Henry, Hill, Houghton. Jones, Keables, Kenyon, Landsborough, Leavitt, Mahoney, Malcolm, Mead, McCandlish, McGrath, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, and Wright—47.

NOES—Messrs. Aldridge, Allen, Boone, Burnett, Chynoweth, Cross, Dibble, Dryden, Emmons, Goodhue, Hudson, Keegan, Lacy, Melick, McClellan, Rubell, Shanahan, and Mr. Speaker—18.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 225—An Act making an appropriation to pay the claim of Clarence S. Merrill, for services as reporter in a court of inquiry of the National Guard of the State of California

Also: Assembly Bill No. 234—An Act making an appropriation to pay the claim of the Tribune Publishing Company, for advertising the constitutional amendments.

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

GUY, Chairman.

Assembly Bill No. 225—An Act making an appropriation to pay the claim of Clarence S. Merrill, for services as reporter in a court of inquiry of the National Guard of the State of California.

Read first time, and ordered on file for second reading.

Assembly Bill No. 234—An Act making an appropriation to pay the claim of the Tribune Publishing Company, for advertising the constitutional amendments.

Read first time, and ordered on file for second reading.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations recommend the adoption of the following order:

WHEREAS, On the 15th day of January, 1897, the Committee on Rules and Regulations reported, among other rules, the following:

LXVII. *Suspending and Changing Rules—Temporary 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; *provided*, that the Committee on Rules and Regulations may at any time, except during a roll call, report a temporary rule providing for the consideration of any bill on the files of the House belonging to either of the following classes:

1. Bills affecting the State government, its revenue, its various departments or commissions, or appropriations therefor.
2. Bills affecting county and township governments, or roads and highways.
3. Bills affecting town, city, city and county governments, or the municipal affairs of the same.
4. Amending election laws.
5. Bills recommended by the Code Commission.

Such temporary rule shall provide when a bill so selected shall be taken up for consideration, and the time when final vote shall be taken thereon and pending amendments thereto, if there be any.

It shall always be in order to call up for consideration such report. The same shall be subject to amendment by the House.

On the adoption of such temporary rule by the House by a two-thirds vote thereof, if the bill be on third reading, and by a majority vote of the members elected to the House if otherwise, such bill shall thereupon be made the special order for the time fixed therein.

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, and recommend that it be adopted.

WHEREAS, The said rule was laid over one day and ordered printed in the Journal;

WHEREAS, On the 18th day of January, 1897, it was with other rules read to the Assembly, and fully considered by it, and on motion duly adopted;

WHEREAS, The Journal of the 18th of January, as finally approved, does not show the final action taken on said rule;

It is therefore ordered by the Assembly that said rule as hereinbefore set forth be and it is hereby adopted as Rule LXVII of the Assembly.

CHYNOWETH, Committee.

Ordered printed in Journal, and laid over one day.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1897.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 507—An Act to designate a day to be called Arbor Day—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. 507 withdrawn by author.

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 537—An Act protecting the claims of those who may furnish

materials or labor for working or developing of mining properties under powers which are obtained by bond or a trust deed—have had the same under consideration, and respectfully report the same back, and recommend that the author have permission to withdraw the same, he having requested such report.

SOWARD, Chairman.

Assembly Bill No. 537 withdrawn by author.

At twelve o'clock and thirty minutes P. M., the hour of recess was extended five minutes.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 551—An Act prescribing the manner of locating and relocating mining claims and mill sites upon the public domain of the United States, recording notices of location thereof, amending defective locations, and providing for the deposit of district records with County Recorders—have had the same under consideration, and respectfully report the same back, with a substitute therefor, and recommend that such substitute do pass.

SOWARD, Chairman.

INTRODUCTION OF BILL.

By Committee on Mines and Mining Interests: Assembly Bill No. 679 (Substitute for Assembly Bill No. 551)—An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and providing for the deposit of district records with County Recorders, and prescribing the effect to be given to recordation of notices of location and affidavits.

Read first time, and ordered on file for second reading.

MOTION.

Mr. Valentine moved that the Assembly now proceed to the consideration of Senate Joint Resolution No. 8.

So ordered.

SENATE JOINT RESOLUTION No. 8.

WHEREAS, The asphalt business of the United States is becoming one of the important industries of the country, and the improvement of streets and highways of the greatest importance to the public health and comfort; and

WHEREAS, The asphalt used in such improvements is obtained principally from foreign lands, amounting approximately to one hundred thousand tons per annum, paying to foreign countries large royalties and export charges; and

WHEREAS, Within the confines of the United States, and particularly in the State of California, there exist inexhaustible deposits of asphalt of the highest quality, and if protection is given to this domestic industry it may be developed to such an extent as to supply a large amount of the asphalt used within the United States; therefore, be it

Resolved by the Senate, the Assembly concurring, That our Senators be instructed and our Representatives be earnestly requested to use their best endeavors to have adequate protection to the asphalt interests inserted in the new tariff bill now being prepared, and that the Secretary of the Senate be and is hereby instructed to transmit to our Senators, Representatives, and Representatives-elect, a copy of these resolutions.

Senate Joint Resolution No. 8 adopted.

Mr. Valentine moved that Senate Joint Resolution No. 8 be immediately transmitted to the Senate.

So ordered.

JOINT RESOLUTION.

Mr. Bridgford was granted unanimous consent to introduce an Assembly Joint Resolution out of order.

By Mr. Bridgford:

ASSEMBLY JOINT RESOLUTION No. 23.

WHEREAS, The following industry of this country has been, is, and must ever be, the chief basis of its wealth and prosperity; and

WHEREAS, Its chief products are regulated in price by export and not import; and

WHEREAS, So long as this is true the industry cannot receive any direct benefit from any system of protection, and

WHEREAS, There is now pending before the Congress of the United States a measure which proposes to place an import duty of 1½ cents each upon all jute bags; and

WHEREAS, There are but few factories in this country engaged in manufacturing such articles; and

WHEREAS, Such a law would impose an additional heavy burden upon our chief industry, which is already staggering under a weight of depression; now, therefore, be it

Resolved, That our Representatives in Congress be requested and our Senators instructed to use their best efforts to defeat any law imposing a duty on jute bags;

Resolved, That the Secretary of State be instructed to transmit by mail a copy of this resolution to each of our Senators and Representatives in Congress.

Mr. Bridgford moved that the rules be suspended and Assembly Joint Resolution No. 23 adopted.

Lost.

Referred to Committee on Federal Relations.

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

REASSEMBLED.

The Assembly reassembled at two o'clock and fifteen minutes P. M.

Speaker Coombs in the chair.

Quorum present.

SENATE SPECIAL FILE.

Senate Bill No. 112—An Act to amend Section 1137 of the Penal Code, relating to papers a jury may take when retiring.

Refused second reading.

Senate Bill No. 115—An Act to amend Section 612 of the Code of Civil Procedure, relating to papers a jury may take when retiring.

Refused second reading.

Senate Bill No. 138—An Act appropriating money to pay the expenses of collecting, preparing, forwarding, installing and maintaining, taking down and returning an exhibit of the products of the State of California at the Tennessee Centennial Exposition, to be held in Nashville in 1897, and to provide for a commission, secretary of commission, and for the pay of the secretary thereof.

Read second time.

Mr. Valentine moved that the Assembly do now go into Committee of the Whole, the Speaker in the chair, for the purpose of considering Senate Bill No. 138.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 138 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 138—An Act appropriating money to pay the expenses of collecting, preparing, forwarding, installing and maintaining, taking down and returning an exhibit of the

products of the State of California at the Tennessee Centennial Exposition, to be held in Nashville in 1897, and to provide for a commission, secretary of commission, and for the pay of the secretary thereof—and now report the bill to the House, and recommend that the same do pass.

COOMBS, Chairman.

Report of Committee of the Whole adopted.

Senate Bill No. 138 ordered on file for third reading.

Senate Bill No. 266—An Act making an appropriation to pay the expenses of Electors of President and Vice-President of the United States of America.

Read second time.

Mr. Guy moved that the Assembly do now go into Committee of the Whole, the Speaker in the chair, for the purpose of considering Senate Bill No. 266.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 266 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 266—An Act making an appropriation to pay the expenses of Electors of President and Vice-President of the United States of America—and now report the same back to the House, and recommend that the same do pass.

COOMBS, Chairman.

Report of the Committee of the Whole adopted.

Ordered to third reading.

Senate Bill No. 60—An Act conferring power upon the governing body of cities of the first class, to provide for the erection of a municipal hospital, and to levy a tax therefor.

Read second time, and ordered to third reading.

At two o'clock and forty-seven minutes P. M., the Speaker called Mr. Valentine to the chair.

LEAVE OF ABSENCE.

Mr. Cartwright was granted leave of absence for the day, and for yesterday.

Mr. North, of Alameda, asked leave to withdraw his notice to reconsider Assembly Bill No. 452, given yesterday.

So ordered.

Assembly Bill No. 452 ordered to engrossment and third reading.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.:

Assembly Bill No. 468—An Act to amend Section 1918 of the Code of Civil Procedure.

Assembly Bill No. 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing body, and repealing conflicting Acts.

AUSTIN, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 2, 1897.

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

Senate Bill No 35—An Act to authorize cities and towns owning public parks outside of their limits to lay out, construct, and maintain roads, streets, and boulevards from the boundaries of such cities or towns to, into, and through such parks, and to acquire lands for that purpose.

Also: Senate Bill No. 36—An Act to extend the jurisdiction and authority of cities and towns over parks owned by them situated beyond the limits of such cities and towns, and over streets and avenues leading to the same.

Also: Senate Bill No 37—An Act to authorize cities and towns to grant franchises for the construction and maintenance of railroads beyond the limits of such cities or towns leading to public parks owned thereby.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 35—An Act entitled an Act to authorize cities and towns owning public parks outside their limits to lay out, construct, and maintain roads, streets, and boulevards from the boundaries of such cities and towns to, into, and through such parks, and to acquire lands for that purpose.

Read first time, and ordered on Senate special file.

Senate Bill No. 36—An Act to extend the jurisdiction and authority of cities and towns over parks owned by them, situated beyond the limits of such cities and towns, and over streets and avenues leading to the same.

Read first time, and ordered on Senate special file.

Senate Bill No. 37—An Act to authorize cities and towns to grant franchises for the construction and maintenance of railroads beyond the limits of such cities or towns, leading to public parks owned thereby.

Read first time, and ordered on Senate special file.

Mr. Dibble moved that the report of the Committee on Rules, making a correction in the Journal of January 18th, be adopted.

So ordered.

REPORT OF COMMITTEE ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations hereby report the following temporary rule under Rule LXVII of the Assembly:

That Assembly bills numbered, respectively, 208, 209, 210, 211, 212, 214, 216, 217, 218, 219, 220, 221, 222, 223, 226, 228, 230, 231, 235, 237, 238, 239, 240, 243, 249, and 236 be considered at a meeting of the Assembly to be held on Thursday evening, February 4th, commencing at seven o'clock and thirty minutes P. M.; that all of said bills be considered under the urgency clause of the Constitution, and the same, excepting Assembly Bill No. 236, be read second and third times and placed on final passage; that Assembly Bill No. 236 be read first, second, and third times and placed on final passage.

That no other business be transacted pending consideration of said measures.

CHYNOWETH, Chairman.

Report adopted.

REPORT OF SUB-COMMITTEE ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Sub-Committee on Ways and Means, instructed by resolution of January 26th to inspect the public institutions of Southern California, having visited those located at Stockton, Los Angeles, Whittier, San Diego, and Highlands, now present account of expenses as follows:

Sub-committee, consisting of Messrs. North, of Yolo, and Arnerich, for actual traveling expenses, $60 10 each.

Resolved, That the Controller be and he is hereby directed to draw his warrants in

favor of M. E. Arnerich and A. W. North for the sum of $60 10 each, 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.

A. W. NORTH,
ARNERICH,
Sub-Committee.

Referred to Committee on Mileage.

REPORT OF COMMITTEE ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 392—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund—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, with the recommendation that it do pass.

ROBINSON, Chairman.

Assembly Bill No. 392—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

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

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 369—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. 370—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Also: Assembly Bill No. 371—An Act making an appropriation for a fence in front of the grounds of the State Normal School building at Chico.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Public Buildings and Grounds.

ROBINSON, Chairman.

Assembly Bills Nos. 369, 370, and 371 re-referred to Committee on Public Buildings and Grounds.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 63—An Act to amend an Act approved March 26, 1893, entitled "An Act to create and administer a public school teachers' annuity and retirement fund in the several counties, and cities and counties in the State"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

ROBINSON, Chairman.

Assembly Bill No. 63—An Act to amend an Act approved March 26, 1893, entitled "An Act to create and administer a public school teachers' annuity and retirement fund in the several counties, and cities and counties, in the State."

Read first time, and ordered on file for second reading.

RESOLUTION.

By Mr. Landsborough:

Resolved, That the Secretary of State be and he is hereby instructed to furnish free to each member of the Assembly a set of the Debates of Constitutional Convention of 1879

Referred to Committee on Ways and Means.

PETITION.

Mr. Burnett presented the following petition, and asked that it be published in the Journal.

So ordered.

To the honorable Legislature of the State of California:

Your petitioners desire to present to the Senators and Assemblymen of the State of California, in Legislature assembled, and to his Excellency the Governor of the State, the following facts and petition, in order that they may take intelligent action upon the proposition of granting an appropriation for the establishing of a State Normal School in the City of San Luis Obispo, California:

COMPARISON OF AREAS.

We would call your attention to the great area of our State—being about the area of all the New England States and the great States of New York and Pennsylvania in addition, and having a length of more than seven hundred miles, from northwest to southeast An equal distance on the Atlantic coast would extend from the northern line of Connecticut to the southern line of South Carolina.

NECESSITY FOR ANOTHER NORMAL SCHOOL.

We make this comparison in order to show that in a like area on the eastern coast there are one hundred normal schools, besides a great number of other institutions of learning, while in our State there are but three normal schools. These, as well as the State University and independent institutions, are overcrowded—there being in the normal school at San José 700 students, at Los Angeles 600, and at Chico 450. Superintendent Black, in his last report, calls attention to this state of affairs, and dwells upon the disadvantages of overcrowded classes.

PECULIAR ADVANTAGES OF SAN LUIS OBISPO AS A LOCATION FOR A NORMAL SCHOOL.

The Normal School at Chico is situated in the northern part of the Sacramento Valley. Between San José and Los Angeles is a distance of 400 miles. San Luis Obispo is situated midway between these two schools, and for the purpose would be the center of an area of 30,000 square miles of a populous and productive portion of the State. That such a vast area, so full of resources and advantages, is entitled to most careful consideration in matters of educational facilities, is apparent to every statesman and good citizen.

DESIRABILITY OF THE CITY OF SAN LUIS OBISPO AS A LOCATION FOR A NORMAL SCHOOL.

The City of San Luis Obispo lies within the limits of the trade winds from the Pacific Ocean, and is the nearest point on the ocean to the great interior valley of the Upper San Joaquin from Fresno southward. The healthfulness of the locality and the salubrity of the climate are not surpassed by the most favored spots of the world. These facts are so well known as to make a detailed statement of meteorological conditions seem superfluous. We will, however, say that the records of rainfall and temperature have been kept for the past twenty-five years, showing an average annual rainfall of 21 inches and an average temperature of the four warmest summer months of 63°, and of the four coldest winter months of 52°. No section of the State can present a more favorable record. In all the record of twenty-five years there are not five days showing a higher register of temperature than 100° in the daytime, and in no night of the history of San Luis Obispo has there been an uncomfortable one for sleeping. While light white frosts occur nearly every year, hard freezing is unknown.

The following comparative statement for the two years last past, prepared by the Government Observer stationed here, will bear us out in these claims:

UNITED STATES DEPARTMENT OF AGRICULTURE, WEATHER BUREAU,
OFFICE OF THE OBSERVER, SAN LUIS OBISPO, January 9, 1897.

GENTLEMEN: I have the honor to report that from the meager data on file at this station, I find that for the years 1894, 1895, and 1896 the maximum temperature was: Los Angeles, 103°; San Diego 98°; Red Bluff, 109°; Fresno, 111°; San Luis Obispo, 99°. Lowest temperature: Los Angeles, 32°; San Diego, 32°; Red Bluff, 27°; Fresno, 28°; San Luis Obispo, 28°. Highest wind: Los Angeles, 30 miles per hour; San Diego, 35; Red Bluff, 46; Fresno, 34; San Luis Obispo, 33. The mean of two years at San Luis Obispo is as follows: Mean barometer, 30 04; mean temperature, 58 9°; highest 99°, lowest 28°, dew point, 46°; humidity, 70, rainfall, 19.47 inches; clear days, 195; partly cloudy, 108; cloudy, 62; rainy, 48; foggy, 37. Average wind velocity, 5 2 miles per hour. The annual reports of this bureau for 1895 and 1896 are not yet published, so I cannot furnish any data comparing San Luis Obispo with other stations. Very respectfully,

JOHN R. WILLIAMS, Observer.

For a comprehensive report of meteorological conditions at San Luis Obispo, extending over a number of years, see report of Sergeant James A. Barwick for the year 1889, pages 136 and 137, published at State Office

The City of San Luis Obispo is the county seat of San Luis Obispo County, and is one of the choice locations in the State. It is one of the old Mission towns, its Mission having been established in 1772; is a city of the sixth class, having a population of about 4,000; a well-organized city government, with efficient fire and police departments; is well supplied with water by a complete system of water-works; is supplied with electric lights, gas, street railways, telephones, etc; has a good sewer system, a public library, free reading-room, churches of many denominations, two daily and three weekly newspapers. No malaria exists in the atmosphere, and contagious and infectious diseases are never epidemic. County Superintendent Messer, who has been a teacher in our public schools for six years, says that San Luis Obispo has no superior as a locality in which constant mental effort may be sustained. He states that during the six years not ten days occurred in which students would feel discomfort in pursuing their studies on account of heat.

ACCESSIBILITY.

The Southern Pacific Railroad passes through the city, soon to be the great thoroughfare between the northern and southern parts of the State, and the route of transcontinental travel and freight. A branch of the Southern Pacific now extends from Bakersfield westward to the eastern border of San Luis Obispo County, with the promise of extension to intersection with the main north and south line of that road. There will also soon be constructed an independent railroad, connecting San Luis Obispo City and harbor with the chief cities of the Upper San Joaquin Valley. The Pacific Coast Railway, with a length of near eighty miles, connects the city and harbor with the various towns of Santa Barbara County, north of the Santa Ynez Mountains. The great ocean fronts the county, and with the best harbor between San Francisco and San Diego, affords cheap transportation, and, as a competitor, will always maintain low schedules. At this harbor the National Government is now constructing a breakwater which will make of San Luis Obispo Bay a harbor of ideal perfection.

OTHER ATTRACTIONS.

The region is diversified with hills and valleys, affording the most beautiful and picturesque scenery of California; scenery never tiring to the eye, attractive and ennobling to students and artists. The geological and mineralogical formation is such as to constitute an endless and very useful subject of study. San Luis Obispo County is distinguished for its many and varied rocks and minerals, and these offer subjects for the practical student as well as material for building purposes Our seaside resorts are unsurpassed by any in the State. The famous Pismo Beach, affording a continuous drive of twenty-five miles, is situated ten miles to the southward; Morro, one of the most popular resorts for families from the interior, twelve miles northward, and Avila, near Port Harford, nine miles westward.

CHEAPNESS OF LIVING.

San Luis Obispo is situated within a few miles of the Arroyo Grande Valley, the prize garden spot of the world, and is surrounded by dairies, orchards, and vineyards. Meats, fruits, and vegetables are abundant and cheap the year round, making this one of the most desirable places in the world for students who must practice economy in their living.

OUR OWN NEED OF A NORMAL SCHOOL.

This county alone now annually graduates from the grammar schools nearly one hundred pupils, who, by their diplomas of graduation, are admitted to the State Normal School at San José without any examination. Many of these graduates have gone at great expense to the normal schools at Los Angeles and San José, and many more are anxious to go, but are not able to bear the expense. This county has employed for a number of years about thirty-five per cent of its teaching force from the City of San José, while our own young people, the peers of any in the State in natural endowments, are doomed to less honorable and lucrative employment because advanced educational facilities are not within their reach.

CONCLUSION.

The foregoing facts and figures are sufficient to show why the City of San Luis Obispo should have precedence of all cities on the southern coast as an eligible location for a State Normal School. In the geographical center of a large, populous area, unexcelled in climatic advantages and healthfulness; easily accessible from all points; its diversified scenery and seaside attractions; its desirability as a residence locality, its assured growth in the immediate future; its advantages for economical living, and the great and increasing necessity for such a school for the accommodation of the young people who inhabit this region, San Luis Obispo presents claims worthy of the consideration and affirmative action of our honorable State Legislature and his Excellency Governor Budd For such consideration and affirmative action your petitioners will ever pray.

The foregoing was presented to the citizens of San Luis Obispo by a committee consisting of Myron Angel, W. A. Henderson, and J. K. Tuley, they having been appointed

for the purpose, and the report was adopted by the citizens in meeting assembled; at which meeting it was

Ordered, That the secretary of this meeting be directed to forward copies of the report of the Committee on Petition to the Legislature to the Hon. S. C. Smith and to the Hon. J. K. Burnett, at Sacramento, with a request that they use every honorable endeavor to induce the passage of an Act for the establishment of a normal school in the City of San Luis Obispo.

JOHN WHICHER, Secretary.

JOINT RESOLUTION.

Mr. Bridgford moved that the Assembly do now consider Assembly Joint Resolution No. 14.

So ordered.

ASSEMBLY JOINT RESOLUTION No. 14.

Resolution relative to the publishing of monthly reports by the Secretary of Agriculture.

WHEREAS, Agriculture is the chief basis of the wealth of this nation, and is entitled to all reasonable encouragement at the hands of the Government; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That our Representatives in Congress be and they are hereby requested and our Senators are instructed to use their best efforts to secure the passage of a law making it the duty of the Secretary of Agriculture to procure accurate monthly reports from our representatives in all foreign countries, and from other available sources, the condition of growing crops, visible supply, etc., of such agricultural products as this country exports, and that said Secretary of Agriculture speedily make a summary statement in convenient form of said reports, and cause the same to be forthwith forwarded to the Secretary of State of the respective States of the Union, to be published for the benefit of the public;

Resolved, That a copy of this resolution be forwarded by mail by the Secretary of State to each of our Senators and Representatives in Congress.

Adopted.

Mr. Dibble moved that the rules be suspended, and the Assembly do now consider the second-reading file.

So ordered.

INTRODUCTION OF BILLS.

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

By Mr. Cutter: Assembly Bill No. 680—An Act to provide for the funding and refunding of the indebtedness of levee and protection districts.

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

By Mr. North, of Alameda: Assembly Bill No. 681—An Act concerning bridges across navigable streams.

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

By Mr. Clarke: Assembly Bill No. 682—An Act providing for the publication of legal or official advertising.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 683—An Act to amend Sections 1464, 1465, 1466, 1467, 1468, and 1469 of the Code of Civil Procedure, and repealing Section 1470 thereof, relating to the provision for the support of the families of deceased persons.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 684—An Act to amend Sections 1474, 1475, 1476, and 1486 of the Code of Civil Procedure, and to add a new section, to be known as Section 1479, relating to the administration of the homestead.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 685—An Act to enable all counties, incorporated towns or municipalities, or consolidated cities and counties of the State, to use the Ellis automatic vote-printing ballot machine, or similar vote-printing ballot machines, and to provide for their use at all and any elections therein.

Read first time, and referred to Committee on Elections.

By Mr. Wright: Assembly Bill No. 686—An Act to amend Section 726 of the Code of Civil Procedure, relating to the application of the proceeds of the sale of mortgaged premises.

Read first time, and referred to Committee on Judiciary.

By Mr. Stansell: Assembly Bill No. 687—An Act to amend Section 1830 of the Political Code, relating to schools.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 688—An Act to amend Sections 354, 1487, 1488, 1489, 1490, 1491, 1492, 1497, 1501, 1503, and 1507, and to repeal Sections 1504 and 1506 of the Political Code, relating to State Normal Schools.

Read first time, and referred to Committee on Education.

By Mr. Burnham: Assembly Bill No. 689—An Act to amend Sections 901, 902, 903, and 905 of the Code of Civil Procedure, relating to judgments of Justices' Courts.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 690—An Act to amend Section 4259 of the Political Code, relating to the qualification of District Attorneys.

Read first time, and referred to Committee on Judiciary.

By Mr. Malcolm: Assembly Bill No. 691—An Act to establish a State Lunacy Commission, to provide a uniform government and management of the State hospitals for the insane, and to provide for the care, custody, and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties.

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

By Mr. Godfrey: Assembly Bill No. 692—An Act to provide for a State Food Commissioner, assistants, salary, expenses, and duties.

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

By Mr. Treacy: Assembly Bill No. 693—An Act to amend 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 referred to Committee on Corporations.

By Mr. Hill: Assembly Bill No. 694—An Act authorizing municipal corporations to lease, purchase, own, and operate gravel beds and quarries, and to transport gravel and rock therefrom to such municipal corporations for the purpose of making, improving, and repairing roads.

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

Also: Assembly Bill No. 695—An Act to exempt all honorably discharged soldiers, sailors, or marines, who served at least ninety days in the War of the Rebellion, from payment of any road tax, road poll tax, and head tax.

Read first time, and referred to Committee on Judiciary.

By Mr. McClellan: Assembly Bill No. 696—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 Revision of Codes and Statutes.

By Mr. Emmons: Assembly Bill No. 697—An Act to amend the Penal Code of this State by adding three sections thereto, to be known as Sections 299, 300, and 301, relating to Sunday, and the opening of certain places of business on that day.

Read first time, and referred to Committee on Judiciary.

By Mr. Lacy: Assembly Bill No. 698—An Act to provide for the examination of scaffolding, ropes, blocks, pulleys, and tackle used in the construction, repairing, or painting of buildings, and providing for the inspection thereof.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Melick: Assembly Bill No. 699—An Act to amend an Act entitled "An Act providing for the sale of railroads 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. Waymire: Assembly Bill No. 700—An Act to amend Section 53 of the Code of Civil Procedure of the State of California.

Read first time, and referred to Committee on Revision of Codes and Statutes.

SECOND-READING FILE.

Assembly Bill No. 196—An Act: Be it enacted by the Assembly in session, 1897, the Senate concurring, that the following Act be added to the road law of California, to be numbered Section 2737½, Article VIII.

Passed on file.

Assembly Bill No. 555 was ordered re-referred to Committee on Education.

Assembly Bill No. 199—An Act to amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gate.

Passed on file.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Bettman: Assembly Bill No. 701—An Act relating to the taking of depositions, and amending Section 2032 of the Code of Civil Procedure of the State of California, relative to taking depositions in this State.

Read first time, and referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 702—An Act relating to the falsifying of evidence, and amending Section 132 of the Penal Code of the State of California.

Read first time, and referred to Committee on Revision of Codes and Statutes.

By Mr. Goff: Assembly Bill No. 703—An Act to amend Section 1577 of the Political Code of the State of California, relating to the time of

forming new school districts, and changing the boundaries of school districts.

Read first time, and referred to Committee on Revision of Codes and Statutes.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 29—An Act entitled "An Act to amend Section 1192 of the Code of Civil Procedure."

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 70—An Act to amend Section 105 of the Code of Civil Procedure of the State of California, relating to the powers of Justices of the Peace to call in other Justices of the Peace to act in their place and stead.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 71—An Act to amend Section 4428 of the Political Code of the State of California, relating to the powers of Judges of Police Courts to call in Justices of the Peace to act in their place and stead.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 277—An Act to amend Section 3766 of the Political Code of the State of California, relating to the publication of the delinquent tax list.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 341—An Act relating to rights of way across mining claims.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 545—An Act to amend Section 1209 of the Code of Civil Procedure.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 257—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 186, relating to counties of the twenty-fourth class.

Read second time.

The following committee amendment was submitted:

Amend by striking out of Section 1, line 9, the words "four thousand three," and inserting in lieu thereof the words "three thousand nine."

Adopted.

Ordered to engrossment and third reading.

Assembly Bill No. 181—An Act to amend Section 60 of Chapter CCXXXIV of the Statutes of California, approved March 24, 1873, and entitled "An Act to establish a uniform system of county and township governments."

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 256—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 60, relating to county officers and their term of office.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 114—An Act to provide for the publication of the State Blue Book, or Roster.

Read second time, and ordered to engrossment and third reading.

Mr. Melick moved that a resolution offered by him on January 21st, and referred to Committee on Attachés and Employés, be recalled from

said committee and re-referred to the Committee on Investigation appointed yesterday.

Motion lost.

Assembly Bill No. 275—An Act to add a new section to the Political Code, to be known and designated as Section 3466½, relating to the payment of invalid assessments in reclamation districts, and the crediting of the amount paid (to the tract or land upon which the same was assessed) upon subsequent assessments.

Read second time, and the following amendment was submitted:

Amend by striking out the lines from 4 to 16 of printed bill, and insert the following: "In all cases in which an assessment shall hereafter be levied for reclamation purposes upon the lands embraced within any reclamation district, and the persons owning or possessing said lands shall have doubt as to the validity of any such assessment, he may pay the same under protest, and should such assessment be afterward declared, by a court of competent jurisdiction, invalid, such person so paying under protest may recover from the district the money so paid."

Lost.

Ordered to engrossment and third reading.

Assembly Bill No. 476—An Act to amend Section 862 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 engrossment and third reading.

Assembly Bill No. 495—An Act relative to the granting by municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 86—An Act to amend Section 1197 of the Code of Civil Procedure, relating to independent rights of action in cases of liens.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 100—An Act providing for the election or appointment 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 such Judges.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 113—An Act to repeal Section 415 of the Political Code of California, relative to the translation of the laws into Spanish, and their distribution.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 273—An Act to amend Section 170 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualification of Judges, as amended by an Act approved March 23, 1893.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 496—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Read second time, and ordered to engrossment and third reading.

REPORT OF COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 65, have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and request that it be referred to the Committee on Ways and Means.

WRIGHT, Chairman.

ADJOURNMENT.

At four o'clock and ten minutes P. M., Mr. Dibble moved that the Assembly do now adjourn.

So ordered.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 3, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Keegan, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

LEAVE OF ABSENCE.

Mr. Wright was granted leave of absence for the day.

Mr. Landsborough was granted leave of absence for last Monday.

READING OF THE JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Monday, February 1st, was approved as corrected.

SPECIAL ORDERS.

Assembly Bill No. 140—An Act to amend Sections 237, 245, 246, and 268 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

Mr. Belshaw moved that the Committee on Judiciary be requested to report back Assembly Bill No. 140 to the House, and that it be made a special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

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 entitled an Act to amend Section 1192 of the Code of Civil Procedure.

Also: Assembly Bill No. 70—An Act to amend Section 165 of the Code of Civil Procedure of the State of California, relating to the powers of Justices of the Peace to call in other Justices of the Peace to act in their place and stead.

Also: Assembly Bill No. 71—An Act to amend Section 4428 of the Political Code of the State of California, relating to the powers of Judges of Police Courts to call in Justices of the Peace to act in their place and stead

Also: Assembly Bill No 86—An Act to amend Section 1197 of the Code of Civil Procedure, relating to independent rights of action in cases of liens

Also: Assembly Bill No 100—An Act providing for the election or appointment 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 such Judges

Also: Assembly Bill No 113—An Act to repeal Section 415 of the Political Code of California, relative to the translation of the laws into Spanish, and their distribution.

Also: Assembly Bill No. 114—An Act to provide for the publication of the State Blue Book, or Roster

Also: Assembly Bill No. 181—An Act to amend Section 60 of Chapter CCXXXIV of the Statutes of California, approved March 24, 1893, and entitled "An Act to establish a uniform system of county and township governments."

Also: Assembly Bill No. 256—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 60, relating to county officers and their term of office

Also: Assembly Bill No. 273—An Act to amend Section 170 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualification of Judges, as amended by an Act approved March 23, 1893.

Also: Assembly Bill No. 275—An Act to add a new section to the Political Code, to be known and designated as Section 3466½, relating to the payment of invalid assessments in reclamation districts, and the crediting of the amount paid (to the tract or land upon which the same was assessed) upon subsequent assessments.

Also: Assembly Bill No. 277—An Act to amend Section 3766 of the Political Code of the State of California, relating to the publication of the delinquent tax list.

Also: Assembly Bill No. 341—Relating to rights of way across mining claims.

Also: Assembly Bill No. 476—An Act to amend Section 862 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. 495—An Act relative to the granting by municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles

Also: Assembly Bill No. 496—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, concerning the right of eminent domain

Also: Assembly Bill No. 545—An Act to amend Section 1209 of the Code of Civil Procedure.

Also: Assembly Bill No. 14—An Act to amend Section 2955 of the Civil Code of California, respecting the mortgaging of personal property.

AUSTIN, Chairman.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing bodies, and repealing conflicting Acts.

Passed on file.

REPORTS OF STANDING COMMITTEES.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your Committee on Mileage, to whom was referred Assembly resolution allowing actual expenses to the Sub-Committee on State Hospitals and Asylums, beg to report as follows:

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1897.

MR. SPEAKER: The Sub-Committee on State Hospitals and Asylums, appointed to investigate the needs of the hospitals and asylums at Ukiah, Glen Ellen, Yountville, and Napa, having visited these several places, now present account of expenses, as follows:

Sub-committee, consisting of Messrs. Malcolm, Sanford, Henry, Austin, and Keegan, for railroad fare and hotel bill, $96.

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of N. E. Malcolm, Chairman of said committee, for the sum of $96, 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 it do pass.

BREILING, Chairman.

Report adopted.

ON PUBLIC WORKS, STATE CAPITOL, AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Assembly Bill No. 510—An Act to improve Salt River, Humboldt County, from the junction thereof with Eel River to Port Kenyon, by removing therefrom bars and other obstructions to navigation, and to appropriate the sum of $10,000 for that purpose—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ENNIS, Chairman.

Assembly Bill No. 510—An Act to improve Salt River, Humboldt County, from the junction thereof with Eel River to Port Kenyon, by removing therefrom bars and other obstructions to navigation, and to appropriate the sum of $10,000 for that purpose.

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

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 563—An Act to amend an Act entitled "An Act appropriating $40,000 for the purpose of the establishment and management of the Industrial Home for Mechanical Trades for the Adult Blind of the State of California," approved March 5, 1885, and to prescribe the duties of the officers thereof, and of the State officers in reference thereto—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Hospitals and Asylums.

GUY, Chairman.

Assembly Bill No. 563—An Act to amend an Act entitled "An Act appropriating $40,000 for the purpose of the establishment and management of the Industrial Home for Mechanical Trades for the Adult Blind of the State of California," approved March 5, 1885, and to prescribe the duties of the officers thereof, and of the State officers in reference thereto.

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

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the resolution by Mr. Melick:

WHEREAS, It is now evident that a large number of persons, at the temporary organization of this Assembly, received money without rendering any service to the State; and

WHEREAS, These persons received this money by the vote of the Assembly, by a glaring mistake; therefore, be it

Resolved, That this Assembly make a diligent inquiry into the temporary attaché payroll, and report the names of all temporary attachés who rendered no service to the State; and

Resolved, That all persons who are now on the payroll of the permanent organization, and who were on the temporary attaché payroll and rendered no service, be made to either return the money gotten by mistake from the State, or be now dismissed from further service.

Have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Commissions, Retrenchment, and Public Expenditures.

VOSBURG, Chairman.

Adopted.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 20, relative to the protection of free labor, have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

GOODHUE, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 281—An Act to add a new section to the Penal Code, to be known as Section 367 thereof, relating to dealing in convict-made goods—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

H. T. POWER, Chairman.

Assembly Bill No. 281—An Act to add a new section to the Penal Code, to be known as Section 367 thereof, relating to dealing in convict-made goods.

Read first time, and ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No 506—An Act to amend Section 330 of the Penal Code of the State of California, relative to gaming—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Public Morals.

H. T. POWER, Chairman.

Assembly Bill No. 506—An Act to amend Section 330 of the Penal Code of the State of California, relative to gaming.

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

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 2, 1897.

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

Senate Bill No. 63—An Act to amend Section 5 of 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, approved March 27, 1895.

Also: Senate Bill No. 27—An Act to prevent collusion between employers of labor and employment agents.

Also: Senate Bill No. 16—An Act to appropriate $125,000 for the erection of buildings for the use of affiliated and other departments of the University of California, in San Francisco.

Also: Senate Bill No. 1—An Act to amend an Act entitled "An Act to enable school districts in cities of the fifth class, and school districts which embrace territory a portion of which is within and a portion of which is without such cities of the fifth class, to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school-houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes," and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school-houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes," approved March 23, 1893, by amending Sections 1, 8, and 9 thereof, so as to provide more fully for carrying into effect the intention of the provisions of said Act.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 63—An Act to amend Section 5 of an Act conferring power upon the Common Council, Board of Supervisors, or other gov-

erning 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, approved March 27, 1895.

Read first time, and ordered on Senate special file.

Senate Bill No. 27—An Act to prevent collusion between employers of labor and employment agents.

Read first time, and ordered on file for second reading.

Senate Bill No. 16—An Act to appropriate $125,000 for the erection of buildings for the use of affiliated and other departments of the University of California, in San Francisco.

Read first time, and ordered on file for second reading.

Senate Bill No. 1—An Act to amend an Act entitled "An Act to enable school districts in cities of the fifth class, and school districts which embrace territory a portion of which is within and a portion of which is without such cities of the fifth class, to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school-houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes, and to repeal an Act approved March 31, 1891, entitled an Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots and for building or purchasing one or more school-houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes," approved March 23, 1893, by amending Sections 1, 8, and 9 thereof, so as to provide more fully for carrying into effect the intention of the provisions of said Act.

Read first time, and referred to Committee on Education.

On motion of Mr. Dibble, Senate Bill No. 16 was referred to Committee on Ways and Means.

Mr. Price asked permission to withdraw Assembly Bill No. 146.

So ordered.

INTRODUCTION OF BILLS.

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

By Mr. Emmons: Assembly Bill No. 704—An Act relating to the assessment of property of certain soldiers and sailors of the United States who have been honorably discharged from the service.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 705—An Act to regulate the issuance of licenses by municipalities and counties.

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

By Mr. Guy: Assembly Bill No. 706—An Act authorizing the Clerk of the Supreme Court to furnish his office, and making an appropriation therefor.

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

By Mr. Jones: Assembly Bill No. 707—An Act to amend Section 803 of the Code of Civil Procedure of the State of California, approved March 11, 1872, relating to actions for the usurpation of an office or franchise.

Read first time, and referred to Committee on Revision of Codes and Statutes.

JOINT RESOLUTIONS.

By Mr. Ennis:

ASSEMBLY JOINT RESOLUTION No. 24.

WHEREAS, There is now pending in the House of Representatives a bill entitled H. R. No. 260, "A bill to increase the salary of letter carriers," said bill having passed the Senate by an unanimous vote and reported favorably by the Committee on Post Offices and Post Roads of the House, the provisions of the bill adding a fourth grade of salary in first-class offices of one thousand two hundred dollars per annum, and in second-class offices of one thousand dollars per annum; the present salary being six hundred dollars, eight hundred dollars, and one thousand dollars in first-class offices, and six hundred dollars and eight hundred and fifty dollars in second-class offices;

WHEREAS, Under present conditions, a carrier entering the service must serve at least eight years before he can obtain the highest grade of salary, the substitute list and subsequent grades of service requiring that time;

WHEREAS, The carrier service is self-supporting and a source of revenue to the Government, the duties of the carrier exacting, arduous, and responsible, requiring a high grade of physical and mental ability;

Resolved by the Senate of the State of California, the Assembly concurring, That our Senators and Representatives at Washington be and are hereby requested to urge the passage of said bill at the present session of Congress; that the Secretary of the Senate be and is hereby instructed to transmit a copy of these resolutions to our representatives in Congress; also to Hon. Thomas B. Reed, Speaker of the House of Representatives.

Assembly Joint Resolution No. 24 referred to Committee on Federal Relations.

By Mr. Melick:

ASSEMBLY JOINT RESOLUTION No. 25.

Relating to the purchasing and making free by the United States Government of the toll roads passing over the Yosemite National Park in the State of California.

WHEREAS, The State of California did in the years 1885 and 1889 purchase and make free the portions of those certain three toll roads lying within the bounds of the grant of the Yosemite Valley (containing about thirty-six thousand acres) made to the State of California by Act of Congress passed June 30, 1864, said roads having been built into and over said grant by permission of the State of California and the commissioners to manage said park provided by said Act of Congress; and

WHEREAS, The Congress of the United States did on October 1, 1890, pass an Act establishing the Yosemite National Park, containing about one million acres, in the center of which the said original Yosemite Valley grant lies, but did not provide for the making free of the said three toll roads which pass over said National Park and into said Yosemite Valley, or for the making free of that certain fourth toll road which passes through said park, but not into said Yosemite Valley; and

WHEREAS, The United States Senate at the last session of the present Congress, on May 18, 1896, passed a bill authorizing the purchase and making free of the said three toll roads in the Yosemite National Park from their beginnings at the public highways outside of the National Park to where they cross the boundary line of the Yosemite Valley grant, and of the said fourth toll road from its beginning in the Yosemite National Park to its terminus beyond the boundary of the Yosemite National Park, at the actual value of the said four toll roads, to be ascertained by three officers of the engineer corps of the regular army, to be appointed by the Secretary of War; and

WHEREAS, The said bill was thereafter introduced in the House of Representatives and was referred to the Committee on Public Lands therein, where it is now pending; and

WHEREAS, The Yosemite National Park is visited annually by many thousands of Californians and others, and it is a matter of great importance to the people of the United States, and particularly to the people of the State of California, that these toll roads should be made free by the National Government, and the anomaly of paying tolls in a people's park be done away with; therefore, be it

Resolved by the Assembly, the Senate concurring, That the same policy which induced the State of California to buy and make free the toll roads and trails in the California Yosemite Valley grant should also influence the National Government to buy and make free the toll roads which traverse the Yosemite National Park, and that we urgently request our Senators and Representatives in Congress from this State to give immediate, earnest, and united support to the bill now before Congress, and to use all means in their power to secure the passage of the bill at the present session of Congress; and be it

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

Referred to Committee on Federal Relations.

SPECIAL FILE.

Assembly Bill No. 170—An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law.

Passed on file.

Assembly Bill No. 405—An Act making an appropriation for improving the Capitol building and grounds.

Passed on file.

Assembly Constitutional Amendment No. 1—Proposed amendment to Section 1 of Article XVIII of the Constitution, relative to amendments.

Passed on file.

Mr. North, of Alameda, moved to pass special file and take up third-reading file.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No. 430—An Act to provide for the payment of swamp and overflowed lands funds into the treasury of the counties in which said swamp and overflowed lands are situated—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

A. W. NORTH, Chairman.

Assembly Bill No. 430—An Act to provide for the payment of swamp and overflowed lands funds into the treasury of the counties in which said swamp and overflowed lands are situated.

Read first time, and ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No. 366—An Act to add a new section to the Political Code of the State of California, and to be numbered 3477½, relating to the transfer of moneys to the Swamp Land Fund—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

A. W. NORTH, Chairman.

Assembly Bill No. 366—An Act to add a new section to the Political Code of the State of California, and to be numbered 3477½, relating to the transfer of moneys to Swamp Land Fund.

Read first time, and placed on file for second reading.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 544—An Act to amend Sections 1895, 1897, 1898, 1900, 1912, 1913, 1918, 1919, 1924, 1936, 1945, 1962, 1965, 1966, 1970, 1974, 1976, 1981, 1982, 1984, 1986, 1990, 2006, 2007, 2018, 2022, 2076, 2084, 2094, 2099, and 2105 of the Political Code, and to repeal Section 2101 thereof, and to add two new sections thereto, to be known as Sections 2008 and 2009, all 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.

CROSS, Chairman.

Assembly Bill No. 544—An Act to amend Sections 1895, 1897, 1898, 1900, 1912, 1913, 1918, 1919, 1924, 1936, 1945, 1962, 1965, 1966, 1970,

1974, 1976, 1981, 1982, 1984, 1986, 1990, 2006, 2007, 2018, 2022, 2076, 2084, 2094, 2099, and 2105 of the Political Code, and to repeal Section 2101 thereof, and to add two new sections thereto, to be known as Sections 2008 and 2009, all relating to the National Guard of California.

Read first time, and placed on file for second reading.

THE SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your committee, the San Francisco Delegation, to whom was referred Assembly Bill No. 384—An Act to amend Section 3 of an Act entitled "An Act to confer certain powers upon corporations organized for the purpose of discovering and preventing fires and of saving property and human life from conflagration," approved April 1, 1876—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MULCREVY, Chairman.

Assembly Bill No. 384—An Act to amend Section 3 of an Act entitled "An Act to confer certain powers upon corporations organized for the purpose of discovering and preventing fires, and of saving property and human life from conflagration," approved April 1, 1876.

Read first time, and ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your committee, the San Francisco Delegation, to whom was referred Senate Bill No. 114—An Act to amend Section 1127 of the Penal Code, relating to charging the jury—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the proper committee.

MULCREVY, Chairman.

Senate Bill No. 114—An Act to amend Section 1127 of the Penal Code, relating to charging the jury.

Read first time, and ordered on file for second reading.

THIRD-READING FILE.

Assembly Bill No. 418—An Act to amend Section 407 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 22—An Act to amend Section 5 of 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.

Passed on file.

Assembly Bill No. 454—An Act to amend Section 1 of an Act entitled "An Act for the further protection of stockholders in mining companies," approved April 23, 1880.

Passed on file.

Assembly Bill No. 80—An Act to provide for the employment of citizens of the United States upon public works within this State.

Passed on file.

Assembly Bill No. 49—An Act to provide for a lunch hour for employés.

Passed on file.

Assembly Bill No. 40—An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays.

Passed on file.

Assembly Bill No. 68—An Act to amend "An Act to establish the fees of county, township, and other officers, and of jurors and witnesses, in this State," relating to fees to be paid County Clerks.

Passed on file.

Assembly Bill No. 18—An Act to amend clause 37, Section 25, County Government Act.

Passed on file.

Assembly Bill No. 57—An Act to amend Section 792 of the Political Code, so as to prohibit a county officer or his deputy from being a notary public.

Passed on file.

Assembly Bill No. 150—An Act to define the duties and liabilities of employment agents.

Passed on file.

Assembly Bill No. 6—An Act authorizing the appointment of an interpreter of the Japanese language in criminal proceedings, in cities, and cities and counties, of one hundred thousand inhabitants and over.

Passed on file.

Assembly Bill No. 139—An Act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof.

Passed on file.

Assembly Bill No. 268—An Act to provide for the annual salaries of the Judges of the Superior Court of the City and County of San Francisco.

Passed on file.

Assembly Bill No. 264—An Act to amend Section 172 of the Civil Code, relative to the management and control of community property.

Passed on file.

Assembly Bill No. 260—An Act to validate the organization and incorporation of municipal corporations.

Passed on file.

Assembly Bill No. 4—An Act to protect all citizens in their civil and legal rights.

Passed on file.

Assembly Bill No. 14—An Act to amend Section 2955 of the Civil Code of California, respecting the mortgaging of personal property.

Passed on file.

Assembly Bill No. 455—An Act to amend the Code of Civil Procedure by adding thereto a new section, to be numbered Section 676, relating to conveyances under order of court.

Passed on file.

Assembly Bill No. 456—An Act to amend Section 691 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 457—An Act to amend the Code of Civil Procedure, by adding thereto a new section, to be numbered Section 811, relating to dissolution of corporations.

Passed on file.

Assembly Bill No. 458—An Act to amend Section 868 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 459—An Act to amend Section 939 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 460—An Act to amend Section 943 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 461—An Act to amend Section 963 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 462—An Act to amend Section 977 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 463—An Act to amend Section 980 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 464—An Act to amend Section 1490 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 465—An Act to amend Section 1491 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 466—An Act to amend the Code of Civil Procedure by adding thereto a new section, to be numbered Section 1593, relating to the rights of executors and administrators to bid at foreclosure sales in certain cases.

Passed on file.

Assembly Bill No. 467—An Act to amend Section 1906 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 468—An Act to amend Section 1918 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 469—An Act to amend Section 1991 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 470—An Act to amend the Code of Civil Procedure by adding thereto two new sections, numbered, respectively, 2039 and 2040, relating to letters rogatory.

Passed on file.

Assembly Bill No. 332—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Passed on file.

Assembly Bill No. 23—An Act entitled an Act to amend Section 1575 of the Code of Civil Procedure.

Read third time.

Mr. Soward moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend line 1, printed bill, by inserting the following at beginning of line: "Section 1"

The Speaker appointed Mr. Soward such committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 23—An Act to amend Section 1575 of the Code of Civil Procedure—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.

SOWARD, Committee.

Report adopted.

Mr. Bridgford moved that a select committee of one be appointed by the Speaker to make the following amendment to Assembly Bill No. 23:

Amend by inserting in line 5, after the word "or," the words "in case of his absence from the country or other inability by."

So ordered.

Mr. Bridgford was appointed such committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 23—An Act to amend Section 1575 of the Code of Civil Procedure—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.

BRIDGFORD, Committee.

Report adopted.

Assembly Bill No. 23 ordered to reengrossment and to printer.

Mr. Dibble moved that the Committee on Public Printing be instructed as to what bills are necessary to be printed.

So ordered.

RESOLUTION.

By Mr. Price:

Resolved, That the State Printer be and he is hereby directed to print such copies of all bills as are necessary to comply with a resolution passed on the 26th day of January, 1897, requiring him to furnish bound volumes to each member of this House.

Referred to Committee on Public Printing.

Mr. Dibble moved that the Committee on Public Printing be requested to report on Mr. Price's resolution this afternoon.

So ordered.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 157—An Act to regulate the width of tires of wagons to be used on the public highways of the State of California.

Passed on file.

At eleven o'clock and twenty minutes A. M., Speaker Coombs resumed the chair.

Assembly Bill No. 251—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 397 thereof, relating to penalties for selling liquor to habitual or common drunkards and Indians.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Canavan, Cross, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Godfrey, Guy, Henry, Hudson, Jones, Kelly, Lacy, Landsborough, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Sanford, Stansell, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—49.

NOES—None.

Title read and approved.

RESOLUTION.

By Mr. Mead:

Resolved, That the order in which bills be sent from Clerk's desk to printer be as follows:

1. Bills amended on third reading.
2. Bills amended on second reading.
3. Other bills.

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

So ordered.

Resolution adopted.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 76—An Act to amend Section 261 of the Penal Code of the State of California, relating to the crime of rape and what constitutes the same.

Passed on file.

Assembly Bill No. 7—An Act to compel all depositaries of money and commercial 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. Aldridge, Allen, Anderson, Bettman, Bridgford, Burnett, Caminetti, Canavan, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Godfrey, Goodhue, Guy, Harris, Hill, Houghton, Keables, Keegan, Kenyon, Lacy, Landsborough, Mahoney, Mead, Melick, Mulcrevy, McClellan, McGrath, McLaurin, North of Alameda, Pohlman, Power of Placer, Power of San Francisco, Robinson, Rubell, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Assembly Bill No. 283—An Act to change and permanently locate the boundary line between the counties of Butte and Yuba.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Canavan, Cutter, Dibble, Dolan, Elliott, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Kelly, Kenyon, Landsborough, Leavitt, Malcolm, Mead, Melick, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Power of Placer, Robinson, Rubell, Ryan, Sanford, Sims, Soward, Stansell, Strain, Toland, Treacy, Waymire, and Mr. Speaker—54.

NOES—Messrs. Dennery and Pohlman—2.

Title read and approved.

Assembly Bill No. 306—An Act to provide for the management and operation of railroads above certain elevations.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Burnett, Burnham, Caminetti, Canavan, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Godfrey, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Malcolm, Mead, Melick, McCandlish, McLaurin, Pohlman, Power of Placer, Price, Robinson, Rubell, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Assembly Bill No. 119—An Act authorizing certain corporations to loan and invest money, and regulating the same.

Passed on file.

Assembly Bill No. 8—An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors, and marines, in this State, who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889.

Passed on file.

Assembly Bill No. 286—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Passed on file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC PRINTING.

SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your Committee on Public Printing, in accordance with resolution by Mr. Price, beg leave to report as follows: That there are missing seventy-two bills, numbered as follows: 1, 3, 4, 5, 7, 8, 9, 11, 12, 14, 17, 19, 23, 28, 31, 32, 33, 36, 43, 44, 46, 55, 58, 65, 67, 74, 91, 105, 107, 201, 202, 206, 214, 216, 393, 382, 383, 395, 338, 387, 403, 405, 410, 412, 417, 418, 420, 423, 428, 429, 430, 431, 433, 434, 438, 443, 446, 447, 457, 458, 454, 556, 467, 470, 480, 484, 489, 498, 487, 488, 495, and 485.

Respectfully submitted.

LEAVITT, Chairman.

Mr. Price called up for consideration the following resolution, and moved its adoption:

RESOLUTION.

By Mr. Price:

Resolved, That the State Printer be and he is hereby directed to print such copies of all bills as are necessary to comply with a resolution passed on the 26th day of January, 1897, requiring him to furnish bound volumes to each member of this House.

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: The sub-committee of Committee on State Hospitals and Asylums 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 also the hospital at Stockton, now present an account of actual expenses of said visit, as follows:

Malcolm	$60 10
Price	60 10
Lindenberger	60 10
Total	$180 30

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of N. E. Malcolm, Chairman of said committee, for the sum of $180 30, as per above statement, said warrant to be drawn upon the contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

MALCOLM, Chairman.

Adopted.

RESOLUTION—(CASE OF URGENCY).

By Mr. North, of Alameda:

Resolved, That Assembly Bill No. 681 presents a case of urgency, and that the State Printer be requested to print the same out of order, and at once.

Adopted.

At eleven o'clock and forty minutes A. M., Mr. North, of Alameda, moved that the hour of recess be extended till one o'clock P. M.

So ordered.

PETITIONS.

Speaker Coombs presented the following petition, and asked that it be published in the Journal, and referred to Committee on Public Morals.

So ordered.

To the Assembly of the Legislature of California:

We, the undersigned residents of Napa, in the County of Napa, California, respectfully ask your honorable body to enact a Sabbath law that will prohibit all unnecessary secular labor and business, and all public sports and amusements inconsistent with the sanctity of the day, and that at the same time will secure the necessary weekly rest to all classes of weary toilers.

(Signed:) Mrs. S. E. Chapman, Miss Rose Chapman, Miss Ida Chapman, Mrs. F. Salkeld, James Preece, Mrs Elizabeth Preece, Mrs. J. H. Boke, Miss Grisby, G. W. Doughty, C. H. Beechgood, Mrs. C. H Beechgood, Mrs. M. J. Beechgood, Mrs. J F. Wilson, Jesse T. Wyckoff, Josephina Anderson, Mrs. Sampson, Mrs. R. A. Williams, H. Swift, S. H. Wyckoff, E A. Grigsby, Mrs. B F. Smith, B. F. Smith, C. W. Hatton, Laura Rojas, Nellie Summers, Mary J. Mills, Mrs S. H. Wyckoff, Lulu Hayman, Mrs. M. O'Neill, Wm Chapman, L. A. Chapman per W. S, Mrs J. W Grigsby, Fred Salkeld, J. W Grigsby, Mrs. C. C. Drew, Annis Boyce, Mrs E. J Bailey, C H Farman, Wm. Reed, T. B. Hutchinson, Alice M. Jordan, C. E. Jordan, R. W. Benedict, Mrs. T. B. Hutchinson, Mrs. A. Chapman, Rachel Stewart, Laura Rankin, Mrs S. J. Huff, Lillie Hatton, G. A. R Kimball, Mrs. H. S. Kimball, Mrs. V. R Tavs, T. B. Steuart, May Adcock, Elizabeth Wyckoff, S C Elliott, Clara Elliot, Charles Biedenbach, Mrs Kate Wright, Mrs M. H. Davis, S M. Tool, Mrs. S. M. Tool, S. E. Holden, Mrs. S. E. Holden, Bessie M George, Mrs E. H. King, Mrs M. Poulsen, E. H. King, Fred C Poulson, S E Chapman, Mrs Harvey Grigsby, L. T. Hayman, Geo. R. Oliver, Mrs. C. Stoddard, Miss M. L. Gwinn, Mrs. C S. Gwinn, May Stoddard, Mrs. C. T. Gamble, Mrs. M. E Chapman, Mrs. Smith Gildersleeve, Mrs. Ann Mothershead, M. J. Wittlinger, Mrs. Rawnsley, J. N. Rawnsley, Clara Benedict, Lida Benedict, Libbie Case, C. E. Case, Mary M. King, Mrs. J. R Coe, Mrs L. M. Turton, Kate Ames, L. J. Norton, Mary A. Ames, I. G. Herron, Mrs. R. S. Bell, Cora E. Boyce, Mrs. D. Stratton, Mrs Jones, Mrs. D. Firestine, Mrs. M. Hatton, Emma S. Farman, M. A. Adams, L C. Tallman, Levi McCash, T. D. Hugbee, G. L Firestine, Mrs. Maggie Firestine, L. M. Turton, G M. Shoults, Mrs. J. H Jordan, Mrs M. L Cress, Susan Shoults, Lamar Tallman, John R. Coe, Mae Bell Tallman, Mrs. F. E Norton, Mrs. R. G. Shoults, R G. Shoults, Miss L. Armstrong, Miss P. Harrison, Mrs A. H. Brower, S. R. Simmons, Mabel R. Simmons, Mrs. Chatfield, Mrs. Clara Field, Mrs. R. G. Crocker, Sadie F. Hicks, Mrs J. J. Nookes, H. R. Allen, Mrs. Greenfield Risk, Robert Risk, Miss E. P. Whitman, Mrs. Rolland E. Miller, Mrs. T. H. Epley, Mrs. M. C. Ayer, Miss Della Bales, Mrs L. R. Tull, Mrs. H. L. Gunn, H. L. Gunn per Mrs. G., B. F. Taylor, E. C. Taylor, M. E. Hitchcock, W. F. Moyer, Ethel Moyer, Mrs. J. F. Lamden, Mrs. M. Shaw, Minnie S. Farman, Alice Michelson, Robert Corlett, Wm. E. Corlett, Mrs Robt. Corlett, C. D. Corlett, Geo. F. Havens, Lillie C. Stuat, Ole Olsen, Mrs Emma T Mayer, Fate Beasley, Mrs. F. A. Lake, Mrs. Laura Smith, T. W. Smith, Mrs. G. W. Doughty, Mrs. M. J. Stark, Mrs. T. Chapman, Mrs. L. Ceas, M. Shaw, Mrs. C. Welti, Mrs. M. Merritt, Geo W. Tool, Mrs. Myers, Alita Myers, Anna Myers, Grace Grigsby.

Mr. Hudson presented the following petition, and requested that it be published in the Journal, and referred to Committee on Public Morals.

So ordered.

To the Assembly of the Legislature of California:

We, the undersigned residents of Monterey, in the County of Monterey, California, respectfully ask your honorable body to enact a Sabbath law that will prohibit all unnecessary secular labor and business, and all public sports and amusements inconsistent with the sanctity of the day, and that at the same time will secure the necessary weekly rest to all classes of weary toilers.

(Signed:) D K. Frasier, Mrs. D. K. Frasier, Mrs. Sadie Knap, Sarah A. Montgomery, J. B. Wagner, Mrs M. A. Wagner, J. T. Reid, Fred Schneider, William Kay, Mrs. W. Kay, Mrs. M. E. Ridley, Mrs S. C. Banman, David Jacks, Mary C. Jacks, M. I. Thomas, Geo Harper, Miss Vinnie Bigford, H. Harper, Mr. Leroy Frasier, Mrs. Leroy Frasier, M. C. Parker, Joseph Miller, J. A. Montgomery.

Mr. Hudson presented the following petition, and asked that it be published in the Journal, and referred to Committee on Public Morals.

So ordered.

To the Senate and Assembly of the Legislature of California:

We, the undersigned residents of Blanco and Salinas, in the County of Monterey, California, respectfully ask your honorable body to enact a Sabbath law that will

prohibit all unnecessary secular labor and business, and all public sports and amusements inconsistent with the sanctity of the day, and that at the same time will secure the necessary weekly rest to all classes of weary toilers.

(Signed:) R. G. Russell, E. A. Armstrong, Robert Porter, J. P. Armstrong, Mrs. L. Porter, Nellie Armstrong, Amelia C. Black, L. Black, C. Armstrong, J. A. Armstrong, S. I. Armstrong, Mrs. J. P. Evans, Mrs. D. L. Gill, Mrs. D. R. Little, David R. Little, Ross B. Little, Mrs Susan Candon, Mrs. Louise Clarke, Miss Clara Hickin, Mary E. Little, Mrs. S. C. Landram, George McCormick, Mrs. G McCormick, Anna T. McCormick, G. A. Daugherty, T. S. Mabel, Leona L. Lang, Lottie T. Clark, Geo. R. Drever, Mrs M. A. Goodrich, Mrs. W. H. Clark, Frank Blackie Jr., F. Blackie, Geo. Armstrong, Emma Gilson, Flora Foster, Ross Horton, J. S. Foster, H. C. Shaw, Hind Harper, J. L. Gill, R. Quentel, Geo. A. Rowling, W. J. Blackie, H. G. Winham, Maggie Foster, Mrs. F. F. Kershan, D. L. Gill, C. H. Barrett, Mrs. H. E. Titamore, Mrs. W. F. Meeker, Mrs. S. Bromley, Katie E. Moore, Wm. H. Moore, Mrs. J. S. Foster, D. S. Thompson, Mrs. Geo. W. McIntyre, Mrs. Unchper, Mrs. E. J. Gill, Minnie Gill, Mrs. E. Coulter, Ella S Mabel, Mrs. Y. S. Mabel, E. W. Trout, J. A. Wall, J. R. Nott, Ella Stirling, Lilhan Quentel, Maggie Reynolds, Josephine Geiselhart, Stella Winks, Addie Starr, Elizabeth Cone, Mamie Uncapher, Charles P. McIntyre, Mrs H. Corey, Mrs J. Smith, D. Webster, Nora E. Cassel, Hiram Corey, T. F. Kushaw, R. Foster, Mrs. F. H. Lang, Lillian Lang, James Thompson, Mrs. James Thompson, Allan McLean, Mrs. Allan McLean, A. B. Bishop, C. A. Hansen, Mrs. Edith McGahan, William Quentel, F. S. Clark, G. A. Bromley, Murray Moore, W. F. Meeker, J. A. Goodrick, Clarence W. Gourley, Mrs. J. W. Grimes, B. F. Johnson, Alice Reynolds, Leroy Frasier, A. W. McGahan, Duncan Stirling, W. H. Clark, Mrs. D. Stirling, Paul Parker, H. J. Cowger, J. P. Evans, Sarah E. Smith, L. Johnston, J. M. Lemore, Ida Irens, W. G. Hind, Mrs W. G. Hind, Mrs. P. D. Lemon, P. D. Lemon, Ethel Emery, Hannah Shaw, Thos J. Draper, Mrs. C. Draper, Mary L. Grant, John Hunter, Mrs. Cowger, Mrs. Peel Parsons, Mrs. W. J. Irvine, Mrs L. Condon, Maude Kalar, Mrs Skidmore, Susan F. Dixon, Mrs Eliz A. Johnson, Carrie Johnson, Mamie Lemon, A. Lemon, Lizzie Berry, Duncan Berry, F. B. Howard, W. Alsop, W. N. Vanderhurst, G. W. Condon, Jasper Phares, Joseph F. Thompson, Mrs. D G. Kalar, D. G. Kalar, Mrs. P. Brower, A. Lemon, Minnie Lemon, Carrie Johnson, Louisa Adcock, Amanda Glover, Hattie Glover, Willie Bain, E C Callihan, D. A. Callihan, Mrs. Della Norman, H. U. Ivens, Ida P. Ivens, J D. Carr, Jessie Parson, Mrs. David Webster, Mrs. John Nelson, Mrs. Adam Thompson, F. Johnston.

To the Assembly of the Legislature of California:

We, the undersigned residents of Pajaro and Prunedale, in the County of Monterey, California, respectfully ask your honorable body to enact a Sabbath law that will prohibit all unnecessary secular labor and business, and all public sports and amusements inconsistent with the sanctity of the day, and that at the same time will secure the necessary weekly rest to all classes of weary toilers.

(Signed:) Mrs Sarah A. Read, Bell Lewis, Mrs C. A. Baldwin, Mrs. Warren Barnes, Mrs. Totten, Viola B Hoier, Otto Hoier, Zora Slayton, A. J. Harvey, Mary E Torrey, G. W. Baldwin, A. Baldwin, Mrs. A. P. Fly, Mr. A. P. Fly, Mrs. R. E. Kortright, Frank Foster, Etta Church, R. B. Lewis, Mrs. C. C. Lewis, W. A. Read, D. K. McLean, A. J. Hill, W. P. Kortright, L. G. Seely, L. B. Torrey, J. J. Slayare, Lottie Totten, G. W. Seely, C. E. Cochran, Susie Lewis, A. W. Lewis, May Dayton, W. H. Rupe, C. V. Carpenter, Mrs. C. V. Carpenter, Mary M. Lewis.

THIRD READING FILE—(RESUMED).

Assembly Bill No. 119—An Act authorizing certain corporations to loan and invest money, and regulating the same.

Passed on file.

Assembly Bill No. 8—An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors, and marines, in this State, who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889.

Passed on file.

Assembly Bill No. 286—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Austin, Belshaw, Bettman, Boone, Bridgford, Burnett, Caminetti, Canavan, Clarke, Damon, Dennery, Dibble, Dryden, Elliott, Ennis, Fontana,

Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Keables, Keegan, Kenyon, Landsborough, Leavitt, Malcolm, Mead, Melick, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Vosburg, Waymire, and Mr. Speaker—53.

NOES—Messrs. Cross, Dolan, Jones, Lacy, Treacy, and Valentine—6.

Title read and approved.

IN JOINT CONVENTION.

WEDNESDAY, February 3, 1897.

At the hour of twelve o'clock M., pursuant to the provisions of Senate Concurrent Resolution No. 1, heretofore adopted by both houses, and as provided in Section 2292 of the Political Code, the Senate and Assembly met in joint convention for the purpose of electing five Trustees of the State Library, for the term of four years, commencing February 28, 1898.

Lieutenant-Governor William T. Jeter, President of the Senate, and Hon. Frank L. Coombs, Speaker of the Assembly, presiding.

By direction, the Secretary of the Senate called the roll of Senators, and the following answered to their names:

Senators Androus, Aram, Beard, Bert, Boyce, Braunhart, Bulla, Denison, Dickinson, Doty, Dwyer, Feeney, Flint, Franck, Gillette, Gleaves, Hall, Henderson, Jones, La Rue, Luchsinger, Mahoney, Morehouse, Pedlar, Prisk, Shine, Shippee, Simpson, Smith, Stratton, Toner, Voorheis, Withington, and Wolfe

By direction, the Chief Clerk of the Assembly called the roll of the Assemblymen, and the following answered to their names:

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker.

Quorum of both houses present.

ANNOUNCEMENT.

The President of the Senate announced the first order of business would be the election of five Trustees of the State Library, and declared that nominations for such were in order.

NOMINATIONS.

The following nominations were made:

By Mr. Belshaw:

J. H. Neff, of Placer County.
F. D. Ryan, of Sacramento County.
B. W. Lee, of Los Angeles County
Dr. Thomas Flint, of San Benito County.
A. B. Lemmon, of Sonoma County.

By Senator Langford:

Dr. M. Gardner, of Sacramento County.
W. S. Green, of Colusa County.
E. E. Leake, of Yolo County.
J. V Webster, of San Luis Obispo County.
J. L. Gilbert, of Fresno County.

On motion of Mr. Dibble, nominations were declared closed.

Senator Morehouse offered the following resolution, and moved its adoption:

Resolved, That when the roll is called on the election of Trustees for the State Library, each Senator and Assemblyman announce the names of five candidates as his choice for the office of Trustees of the State Library.

Resolution adopted.

The President of the Senate directed the Secretary of the Senate to call the roll of the Senators, who, upon their names being called, would each announce his choice for Trustees of the State Library.

The roll was called, with the following result:

For Ryan—Senators Androus, Aram, Beard, Bert, Boyce, Bulla, Denison, Dickinson, Flint, Franck, Gillette, Gleaves, Jones, Luchsinger, Mahoney, Morehouse, Pedlar, Shine, Shippee, Simpson, Smith, Stratton, Toner, Trout, Voorheis, Withington, and Wolfe.

For Lee—Senators Androus, Aram, Beard, Bert, Boyce, Bulla, Denison, Dickinson, Flint, Franck, Gillette, Gleaves, Jones, Luchsinger, Mahoney, Morehouse, Pedlar, Shine, Shippee, Simpson, Smith, Stratton, Trout, Voorheis, Withington, and Wolfe.

For Flint, Sr—Senators Androus, Aram, Beard, Bert, Boyce, Bulla, Denison, Dickinson, Flint, Franck, Gillette, Gleaves, Jones, Luchsinger, Mahoney, Morehouse, Pedlar, Shine, Shippee, Simpson, Smith, Stratton, Trout, Voorheis, Withington, and Wolfe.

For Lemmon—Senators Androus, Aram, Beard, Bert, Boyce, Bulla, Denison, Dickinson, Flint, Franck, Gillette, Gleaves, Jones, Luchsinger, Mahoney, Morehouse, Pedlar, Shine, Shippee, Simpson, Smith, Stratton, Trout, Voorheis, Withington, and Wolfe

For Neff—Senators Androus, Aram, Beard, Bert, Boyce, Bulla, Denison, Dickinson, Flint, Franck, Gillette, Gleaves, Jones, Luchsinger, Mahoney, Morehouse, Pedlar, Shine, Shippee, Simpson, Smith, Stratton, Trout, Voorheis, Withington, and Wolfe.

For Gardner—Senators Doty, Dwyer, Langford, La Rue, and Seawell.

For Green—Senators Langford, La Rue, Prisk, and Seawell.

For Leake—Senators Dwyer, Langford, La Rue, Prisk, and Seawell.

For Webster—Senators Doty, Langford, La Rue, Prisk, and Seawell.

For Gilbert—Senators Doty, Langford, La Rue, Prisk, and Seawell.

For J. H. Barry—Senator Braunhart.

For McNab—Senators Braunhart and Prisk.

For T. F. Barry—Senator Braunhart.

For Sutro—Senator Braunhart

For Sullivan, Jr—Senator Braunhart.

For Cravens—Senator Doty.

For La Rue—Senator Dwyer.

For Doty—Senator Dwyer.

For Toner—Senators Feeney, Hall, and Henderson.

For Dwyer—Senators Feeney, Hall, and Henderson.

For Hall—Senators Feeney, Henderson, and Toner.

For Henderson—Senators Dwyer, Feeney, Hall, and Toner.

For McEnerny—Senator Feeney.

For Langford—Senator Hall.

For Braunhart—Senator Henderson.

For Feeney—Senators Hall, Henderson, and Toner.

For Daggett—Senator Toner.

Whole number of votes cast	37.
Frank D Ryan received	27 votes.
Bradner W. Lee received	26 votes.
Thomas Flint, Sr, received	26 votes.
A. B. Lemmon received	26 votes.
Jacob H. Neff received	26 votes.
M. Gardner received	5 votes.
W. S. Green received	4 votes.
E. E. Leake received	5 votes.
J. V. Webster received	5 votes.
J. L Gilbert received	5 votes.
J. H. Barry received	1 vote.
Gavin McNab received	2 votes.
Thos F. Barry received	1 vote.
Adolph Sutro received	1 vote.
W. P. Sullivan, Jr, received	1 vote.
R. O. Cravens received	1 vote.
C. L La Rue received	1 vote
Gillis Doty received	1 vote
Hugh Toner received	3 votes.
L. J Dwyer received	3 votes.
S Hall received	3 votes.
P. L. Henderson received	4 votes.
G. McEnerny received	1 vote.

B. F. Langford received ..... 1 vote.
S. Braunhart received ..... 1 vote.
John Feeney received ..... 3 votes.
John Daggett received ..... 1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, who, upon their names being called, would each announce his choice for Trustees of the State Library.

The roll was called, with the following result:

For Neff—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Clarke, Coombs, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Kenyon, Leavitt, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, and Waymire.

For Ryan—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Caminetti, Canavan, Clarke, Coombs, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Kenyon, Leavitt, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Ryan, Sims, Soward, Stansell, Strain, Valentine, Vosburg, and Waymire.

For Lee—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Clarke, Coombs, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Kenyon, Leavitt, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, and Waymire.

For Flint, Sr.—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Clarke, Coombs, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Kenyon, Leavitt, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, and Waymire.

For Lemmon—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Clarke, Coombs, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Kenyon, Leavitt, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, and Waymire.

For Gardner—Messrs. Aldridge, Boone, Bridgford, Burnett, Caminetti, Dryden, Elliott, Emmons, Foreman, Houghton, Keegan, Landsborough, McLaurin, Rubell, Sanford, Shanahan, and Toland.

For Green—Messrs. Aldridge, Boone, Bridgford, Burnett, Caminetti, Dryden, Elliott, Emmons, Foreman, Houghton, Keegan, Landsborough, McLaurin, Rubell, Sanford, Shanahan, and Toland.

For Leake—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Houghton, Keegan, Lacy, Landsborough, McLaurin, Power of San Francisco, Rubell, Sanford, Shanahan, and Toland.

For Webster—Messrs. Aldridge, Boone, Bridgford, Burnett, Caminetti, Dolan, Dryden, Elliott, Emmons, Foreman, Houghton, Keegan, Landsborough, McLaurin, Rubell, Sanford, Shanahan, and Toland.

For Gilbert—Messrs. Aldridge, Boone, Bridgford, Burnett, Dryden, Elliott, Emmons, Foreman, Houghton, Keegan, Landsborough, Rubell, Sanford, Shanahan, and Toland.

For J. H. Barry—Messrs. Allen, Dolan, Gately, Lacy, Mahoney, Mulcrevy, McLaurin, Ryan, and Treacy.

For McNab—Messrs. Allen, Gately, and Lacy.

For Sullivan, Jr.—Messrs. Allen, Dolan, Gately, Lacy, Mahoney, Mulcrevy, Power of San Francisco, and Ryan.

For T. F. Barry—Messrs Allen, Gately, Lacy, and Mahoney.

For Nolan—Messrs Dolan, Mahoney, Mulcrevy, McGrath, Power of San Francisco, Ryan, and Treacy.

For Dryden—Mr. Godfrey.

For Caminetti—Messrs Godfrey and Mahoney.

For Shanahan—Mr. Godfrey.

For Emmons—Mr. Godfrey.

For Mead—Mr. Godfrey.

For Nealon—Messrs. Mulcrevy, McGrath, Power of San Francisco, and Treacy.

For Salfield—Mr. McGrath.

For Gately—Mr. McGrath.

For Clunie—Mr McGrath.

For Haskins—Mr. Ryan.

For Dwyer—Mr. Treacy.

For Leggett—Mr. Treacy.

For Daggett—Power of San Francisco.

Whole number of votes cast 72
Frank D. Ryan received ..... 46 votes.
Bradner W. Lee received ..... 44 votes.
Dr. Thomas Flint received ..... 44 votes.
A. B. Lemmon received ..... 44 votes.
Jacob H. Neff received ..... 44 votes.
M. Gardner received ..... 17 votes.
W. S. Green received ..... 17 votes.
E. E. Leake received ..... 22 votes.
J. V. Webster received ..... 18 votes.
J. L. Gilbert received ..... 15 votes.
J. H. Barry received ..... 9 votes.
Gavin McNab received ..... 3 votes.
Thomas F. Barry received ..... 4 votes.
W. P Sullivan, Jr, received ..... 8 votes.
L. J. Dwyer received ..... 1 vote.
John Daggett received ..... 1 vote.
A. J. Clunie received ..... 1 vote.
J. C. Nealon received ..... 4 votes.
C. D Salfield received ..... 1 vote.
William Mead received ..... 1 vote.
E. J. Emmons received ..... 1 vote.
T. W. H. Shanahan received ..... 1 vote.
A. Caminetti received ..... 2 votes.
J. L. Dryden received ..... 1 vote.
P. F. Nolan received ..... 7 votes.
W. H. Gately received ..... 1 vote.
Thomas H. Haskins received ..... 1 vote.
Joseph Leggett received ..... 1 vote.

SUMMARY.

Whole number of votes cast, 109; necessary to a choice, 55.

	S.	A.	Total.
Frank D. Ryan	27	46	73
Bradner W. Lee	26	44	70
Dr Thomas Flint	26	44	70
A. B. Lemmon	26	44	70
Jacob H. Neff	26	44	70
M. Gardner	5	17	22
W. S. Green	4	17	21
E. E. Leake	5	22	27
J. V. Webster	5	18	23
J. L Gilbert	5	15	20
J. H. Barry	1	9	10
Gavin McNab	2	3	5
Thomas F. Barry	1	4	5
Adolph Sutro	1	--	1
W. P. Sullivan, Jr.	1	8	9
R. O. Cravens	1	--	1
C. L. La Rue	1	--	1
Gillis Doty	1	--	1
Hugh Toner	3	--	3
L. J. Dwyer	3	1	4
S. Hall	3	--	3
P. L. Henderson	4	--	4
G. McEnerny	1	--	1
B. F. Langford	1	--	1
John Feeney	3	--	3
Samuel Braunhart	1	--	1
John Daggett	1	1	2
A. J. Clunie	--	1	1
J. C. Nealon	--	4	4
C. D. Salfield	--	1	1
Wm. Mead	--	1	1
E J. Emmons	--	1	1
T. W. H Shanahan	--	2	2
A. Caminetti	--	2	2
J. L. Dryden	--	1	1
P. F. Nolan	--	7	7
W. H. Gately	--	1	1
Thomas H. Haskins	--	1	1
Joseph Leggett	--	1	1

The President of the Senate thereupon declared that J. H. Neff, F. D. Ryan, B. W. Lee, Dr. Thomas Flint, and A. B. Lemmon, having each received a majority of all the votes cast in joint convention, a majority of all the members elected to both houses being present and voting, were duly elected Trustees of the State Library, to serve for the term of four years, commencing with the expiration of the term ending February 28, 1898.

The President of the Senate directed the Secretary of the Senate to read the minutes of the joint convention.

APPROVAL OF MINUTES.

The minutes of the joint convention were read and approved.

ADJOURNMENT.

At one o'clock and twelve minutes P. M., the joint convention, on motion of Senator Prisk, stood adjourned.

IN ASSEMBLY.

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 and ten minutes P. M.
Speaker Coombs in the chair.
Quorum present.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 5—An Act for the relief of 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, and be re-referred to Committee on Ways and Means.

BELSHAW, Chairman.

Assembly Bill No. 5—An Act for the relief of 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 Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 15—An Act to appropriate $1,535 25 to pay the claim of W. W. Foote and Garret W. McEnerney, for legal services rendered and expenses incurred by them in that certain action commenced in and decided by the Supreme Court of the State of California, and which was therein entitled "The People of the State of California, on the relation of John C. Lynch, petitioner, vs James H. Budd, respondent," and numbered S F. No 600—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to Committee on Ways and Means.

BELSHAW, Chairman.

Assembly Bill No. 15—An Act to appropriate $1,535 25 to pay the claim of W. W. Foote and Garret W. McEnerney for legal services rendered and expenses incurred by them in that certain action commenced in and decided by the Supreme Court of the State of California, and which was therein entitled "The People of the State of California, on relation of John C. Lynch, petitioner, vs. James H. Budd, respondent," and numbered S. F. No. 600.

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

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. 708—An Act to amend Section 726, and to repeal Section 729 of the Code of Civil Procedure, relating to actions for the foreclosure of mortgages.

Read first time, and referred to Committee on Judiciary.

By Mr. Power, of Placer: Assembly Bill No. 709—An Act protecting the claims of those who may furnish materials, or who labor upon, mining properties operated under powers which are obtained by bond or other contract, or a trust deed.

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

By Mr. Malcolm: Assembly Bill No. 710—An Act to establish the fees of Constables and Marshals in this State.

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

By Mr. Coombs: Assembly Bill No. 711—An Act for the relief of John Barry.

Read first time, and referred to Committee on Claims.

By Mr. Clarke: Assembly Bill No. 712—An Act to amend Section 1114 of the Political Code of the State of California, relating to registration.

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

By Mr. Goff: Assembly Bill No. 713—An Act making an appropriation for the erection of a ward building for the Southern California State Asylum for the Insane and Inebriates.

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

By Mr. Arnerich: Assembly Bill No. 714—An Act to amend Section 3865 of the Political Code, to provide for settlements with the State, and to make compensation to counties for the exemption of property from taxation.

Read first time, and referred to Committee on Judiciary.

At two o'clock and twenty minutes P. M., the Speaker called Mr. North, of Alameda, to the chair.

JOINT RESOLUTION.

By Mr. Anderson:

ASSEMBLY JOINT RESOLUTION No. 26.

WHEREAS, There is now pending before the Congress of the United States a measure which proposes to place an import duty of one and one half cents each upon all jute bags; and

WHEREAS, There are but few factories in this country engaged in manufacturing such articles; therefore, be it

Resolved, That while we reaffirm our fidelity and devotion to the great principle of

protection, which protects all our labor and has a direct beneficial effect on ninety-five per cent of the volume of our trade, we realize that some of our industries and labor require greater protection than others; therefore, be it

Resolved, That we request our Representatives in Congress to work upon the question above mentioned and upon all other such questions along the lines of right, and with the end in view of doing the greatest amount of good to the greatest number of our people.

Referred to Committee on Federal Relations.

SENATE SPECIAL FILE.

Senate Bill No. 138—An Act appropriating money to pay the expenses of collecting, preparing, forwarding, installing and maintaining, taking down and returning an exhibit of the products of the State of California at the Tennessee Centennial Exposition, to be held in Nashville in 1897, and to provide for a commission, secretary of commission, and for the pay of the secretary thereof.

Read third time.

Mr. Valentine moved a call of the House.

So ordered.

Pending said call, Mr. Dibble moved that further proceedings under call of the House be dispensed with.

So ordered.

The question being on the final passage of Senate Bill No. 138.

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

AYES—Messrs. Allen, Arnerich, Austin, Bettman, Boone, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Emmons, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Jones, Keables, Kelly, Kenyon, Leavitt, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McLaurin, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Robinson, Ryan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, and Waymire—51

NOES—Messrs. Aldridge, Belshaw, Bridgford, Dryden, Elliott, Godfrey, Hill, Houghton, Hudson, Keegan, Landsborough, McCandlish, McClellan, McGrath, Rubell, Sanford, Shanahan, and Mr. Speaker—18.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON HOMESTEADS AND LAND MONOPOLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your Committee on Homesteads and Land Monopoly, to whom was referred Assembly Bill No. 555—Relating to homesteads under execution—have had the same under consideration, and respectfully report the same back without recommendation, with the request that the same be referred to the Committee on Judiciary.

GOFF, Chairman.

Assembly Bill No. 555—An Act to amend Section 1241 of the Civil Code, relative to sales of homesteads under execution, or by order or decree of court.

Read first time, and ordered on file for second reading.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 266—An Act making an appropriation to pay the expenses of Electors of President and Vice-President of the United States of America.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Austin, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Godfrey, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Kelly, Kenyon, Landsborough, Leavitt, Mahoney Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, Pohlman, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—60.
NOES—Messrs. Mead and Treacy—2.

Title read and approved.

Senate Bill No. 60—An Act conferring power upon the governing body of cities of the first class to provide for the erection of a municipal hospital, and to levy a tax 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 Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Fontana, Foreman, Godfrey, Goff, Goodhue, Harris, Hudson, Keegan, Kelly, Kenyon, Leavitt, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, McLaurin, North of Alameda, Pohlman, Power of Placer, Robinson, Rubell, Ryan, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—56.
NOES—None.

Title read and approved.

Senate Bill No. 107—An Act to require an inventory of State and county property, and directing that a record of the same be kept.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 316—An Act to provide for increasing the efficiency of fire departments within municipalities of the first class 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. Aldridge, Allen, Anderson, Arnerich, Austin, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Emmons, Ennis, Fontana, Gately, Godfrey, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, Pohlman, Price, Robinson, Rubell, Sanford, Shanahan, Soward, Stansell, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—62.
NOES—None.

Title read and approved.

Assembly Bill No. 130—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891, relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance and corporations hereafter to be formed to conduct such insurance.

Passed on file.

Assembly Bill No. 123—An Act to amend Section 634 of the Political Code, in relation to insurance, approved April 1, 1878.

Passed on file.

Assembly Bill No. 128—An Act to enable any county, city and county, city, or town to lease property to associations of ex-soldiers and sailors.

Passed on file.

Senate Bill No. 9—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to powers of the Boards of Trustees of certain 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. Aldridge, Allen, Belshaw, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Gately, Godfrey, Goff, Goodhue, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McGrath, McLaurin, North of Alameda, Pohlman, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Shanahan, Soward, Stansell, Strain, Toland, and Waymire—55.

NOES—None

Title read and approved.

At three o'clock and forty minutes P. M., the Speaker resumed the chair.

Assembly Bill No. 182—An Act to authorize any city or city and county of this State to take its census.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Dennery, Dolan, Dryden, Elliott, Emmons, Ennis, Godfrey, Goff, Goodhue, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Soward, Stansell, Strain, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—62

NOES—None.

Title read and approved.

Assembly Bill No. 127—An Act to regulate medical practice, to prevent blindness in infants.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Austin, Bettman, Breiling, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Dennery, Dibble, Dolan, Gately, Godfrey, Goff, Goodhue, Harris, Hill, Jones, Kelly, Kenyon, Leavitt, Mahoney, Mead, Melick, Mulcrevy, North of Alameda, Pohlman, Power of Placer, Price, Robinson, Sims, Soward, Valentine, and Mr. Speaker—36.

NOES—Messrs. Anderson, Arnerich, Boone, Burnett, Dryden, Foreman, Henry, Houghton, Hudson, Lacy, Landsborough, McCandlish, McClellan, Rubell, Sanford, Stansell, Strain, Toland, Treacy, Vosburg, and Waymire—21.

NOTICE OF RECONSIDERATION.

Mr. Waymire gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 127 was lost.

Mr. North, of Alameda, moved that no one except a member of the House be admitted within the gates, except by invitation from a member, and then not allowed the freedom of the House.

So ordered.

Assembly Bill No. 89—An Act to amend an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895, by amending Sections 6 and 69 thereof, relating, respectively, to the

appointment of a time for the election of an assignee, and to costs in cases of involuntary insolvency.

Passed on file.

Assembly Bill No. 183—An Act to amend Section 690 of the Code of Civil Procedure, relating to exemptions from execution.

Passed on file.

Assembly Bill No. 45—An Act requiring every corporation doing business in this State to pay their employés, 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-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 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.

Passed on file.

Assembly Bill No. 29—An Act entitled "An Act to amend Section 1192 of the Code of Civil Procedure."

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Canavan, Dennery, Ennis, Malcolm, McCandlish, Robinson, Soward, and Strain—10.

NOES—Messrs. Anderson, Austin, Belshaw, Boone, Breiling, Bridgford, Burnett, Caminetti, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Fontana, Gately, Godfrey, Goff, Goodhue, Guy, Hill, Houghton, Hudson, Keegan, Lacy, Mead, Melick, Mulcrevy, McClellan, McGrath, Pohlman, Power of Placer, Price, Rubell, Ryan, Shanahan, Toland, Treacy, Valentine, Vosburg, and Mr. Speaker—43.

NOTICE OF RECONSIDERATION.

Mr. Caminetti gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 29 was lost.

Assembly Bill No. 70—An Act to amend Section 105 of the Code of Civil Procedure of the State of California, relating to the powers of Justices of the Peace to call in other Justices of the Peace to act in their place and stead.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Caminetti, Canavan, Clarke, Cross, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Keegan, Kelly, Lacy, Landsborough, Mahoney, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, Pohlman, Power of Placer, Power of San Francisco, Price, Rubell, Sanford, Shanahan, Valentine, and Mr. Speaker—47

NOES—None.

Title read and approved.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 142—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

CUTTER, Chairman.

Assembly Bill No. 142—An Act to provide for the incorporation of municipal fire insurance companies, and define their powers and duties.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 528—An Act to amend Section 465 of the Civil Code, relating to the powers of railroads—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

CUTTER, Chairman.

Assembly Bill No. 528—An Act to amend Section 465 of the Civil Code, relating to powers of railroads.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 586—An Act to amend Section 574 of the Civil Code, relating to the ownership and disposition of property of savings and loan corporations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CUTTER, Chairman.

Assembly Bill No. 586—An Act to amend Section 574 of the Civil Code, relating to the ownership and disposition of property of savings and loan corporations.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 616—An Act relating to the granting of new franchises and the renewal of existing franchises, and providing that upon the expiration thereof the corporate property, or property used in connection with the franchise, shall become the property of the county or municipality granting the franchise—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CUTTER, Chairman.

Assembly Bill No. 616—An Act relating to the granting of new franchises, and the renewal of existing franchises, and providing that upon the expiration thereof the corporate property, or property used in connection with the franchise, shall become the property of the county or municipality granting the franchise.

Read first time, and placed on file for second reading.

Mr. Boone moved that Assembly Bill No. 430 be re-referred to Committee on Swamp and Overflowed Lands.

So ordered.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 327—An Act adding a new section to the Civil Code, relating to the location of and to compel the construction of depots, stations, sidetracks, switches, turnouts, and

spurs, by transportation companies in the State of California, and fixing a penalty for failure to comply thereto—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CUTTER, Chairman.

Assembly Bill No. 327—An Act adding a new section to the Civil Code, relating to the location of and to compel the construction of depots, stations, sidetracks, switches, turnouts, and spurs, by transportation companies in the State of California, and fixing a penalty for failure to comply therewith.

Read first time, and placed on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No 383—An Act to provide for the construction and furnishing of a gymnasium building for the use of the State Normal School at San José, California, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Public Buildings and Grounds.

ROBINSON, Chairman.

Assembly Bill No. 383—An Act to provide for the construction and furnishing of a gymnasium building for the use of the State Normal School at San José, California, and to appropriate money therefor.

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

ADJOURNMENT.

At four o'clock and twenty-one minutes P. M., on motion of Mr. Price, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 4, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Tuesday, February 2d, was corrected and approved.

SPECIAL ORDERS.

Assembly Constitutional Amendment No. 7—Proposed amendment to Section 7 of Article XI of the Constitution, relative to cities and counties.

Mr. Dibble moved that Assembly Constitutional Amendment No. 7 be indefinitely postponed.

So ordered.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 8.

Proposed amendment to Article IV of the Constitution, adding a new section thereto with reference to local legislation.

The Legislature of the State of California, at its thirty-second session, two thirds of the members elect to the Senate and to the Assembly voting therefor, proposes to the qualified electors of the State the following amendment to the Constitution:

That the following section be added to Article IV:

Section 36. The Legislature may, by a concurrence of three fourths of all the members elected to each house respectively, the vote to be taken by yeas and nays, and entered upon the Journals, pass a special or local law, or make an exception or exceptions to the operation of a general law. Where exception is made to the operation of a general law, the Governor may disapprove of the exception while approving the general law; and such disapproval, and his disapproval of any special or local law passed in pursuance of this section, shall be final action thereon.

Mr. Dibble offered the following, and moved its adoption:

Insert after the word "law" in line 5 of printed resolution, the following: "*provided*, that such special or local laws, or exception to general laws, are not prohibited by the second, third, fourth, fifth, sixth, eighth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-ninth, thirtieth, thirty-first, or thirty-second subdivisions of Section 25 of Article IV of this Constitution."

Adopted.

Mr. Dibble offered the following amendment, and moved its adoption:

Strike out the words "three fourths," in lines 1 and 2 of printed resolution, and insert the words "two thirds."

Adopted.

Assembly Constitutional Amendment No. 8 ordered to engrossment, to printer, and on special file.

Assembly Bill No. 140—An Act to amend Sections 237, 245, 246, and 268 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

Passed on file.

Assembly Bill No. 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing bodies, and repealing conflicting Acts.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Bettman, Breiling, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Jones, Keegan, Kenyon, Lacy, Landsborough, Malcolm, Mead, Melick,

McCandlish, McClellan, McLaurin, North of Alameda, Pohlman, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Stansell, Strain, Toland, Treacy, Vosburg, and Mr. Speaker—55.

NOES—Mr. Cross—1.

Title read and approved.

Assembly Constitutional Amendment No. 9—Proposed amendment to Section 7 of Article I of the Constitution, relative to juries.

Mr. Cutter moved to amend by striking out of Section 7, lines 8, 15, and 18, the words "three fourths," and inserting the following: "five sixths," in each instance.

Adopted.

Assembly Constitutional Amendment No. 9 ordered to engrossment, printer, and on special file.

Assembly Constitutional Amendment No. 10—Proposed amendment to Section 5 of Article XI of the Constitution, relative to county officers and their compensation.

Mr. Shanahan moved that Assembly Constitutional Amendment No. 10 be re-referred to Committee on Judiciary, with instructions to report back immediately after next meeting.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrants in favor of M E Arnerich and A. W. North for the sum of $60 10 each, 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 it be adopted.

BREILING, Chairman.

Adopted.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 55, report the same back, and recommend that said bill be referred to the Committee on Judiciary.

Also: Assembly Bill No. 521—Recommend that the same be referred to the Committee on Ways and Means, as it refers only to an appropriation.

PRICE, Chairman.

Adopted.

Senate Bill No. 55—An Act to authorize State agricultural societies under the control of the State to sell property.

Read first time, and referred to Committee on Judiciary.

Assembly Bill No. 521—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture as instructress and silk expert.

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

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 69—An Act to prohibit the adulteration of honey—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same, as it is identical with the provisions in Senate Bill No. 135, which this committee have made a favorable report upon.

Also: Senate Bill No. 135—An Act to prohibit the adulteration of honey, and to pro-

vide a punishment therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PRICE, Chairman.

Assembly Bill No. 69 withdrawn by author.

Senate Bill No. 135—An Act to prohibit the adulteration of honey, and to provide a punishment therefor.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 486—An Act to establish a Board of Warehouse Commissioners, and prescribe their powers and duties, and to regulate warehouses in the State of California, and to provide for the appointment of Warehouse Inspectors and Weighers, and prescribe their powers and duties.

Also: Assembly Bill No. 652—An Act to encourage fiber culture, and to make an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

PRICE, Chairman.

Referred to Committee on Ways and Means.

Assembly Bill No. 486—An Act entitled "An Act to establish a Board of Warehouse Commissioners, and prescribe their powers and duties, and to regulate warehouses in the State of California, and to provide for the appointment and prescribe the powers and duties of Warehouse Inspectors and Weighers."

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

Assembly Bill No. 652—An Act to encourage fiber culture, and to make an appropriation therefor.

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

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 174—An Act entitled an Act to amend an Act entitled 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, by amending the title to said Act, and by amending Sections 1, 4, 7, 8, 9, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 26, 27, 28, 29, and 30 thereof, and by adding three new sections thereto, to be numbered, respectively, Sections 16*a*, 16*b*, and 16*c*, relating to a change in the name of the institution and the powers and duties of the public officers thereof, and the manner and conditions under which commitments may be made thereto, and of the rights and obligations of persons committed thereto, and of the powers and duties of certain public officers in connection therewith, and generally relating to the State school located and established under the aforesaid Act, and now maintained by the State of California at Whittier, in the County of Los Angeles, therein, approved March 23, 1893, by amending Sections 4, 6, 9, and 11—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CANAVAN, Chairman.

Assembly Bill No. 174—An Act entitled an Act to amend an Act entitled 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, by amending the title to said Act, and by amending Sections 1, 4, 7, 8, 9, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 26, 27, 28, 29, and 30 thereof, and by adding three new sections thereto, to be numbered, respectively, Sections 16*a*, 16*b*, and 16*c*, relating to a change in the name of the institution and the powers and duties of the public officers thereof, and the manner and conditions under which commitments may be made thereto, and of the rights and obligations of persons committed thereto, and of the powers and duties of certain public officers in connection therewith, and generally relating to the State school located and established under the aforesaid Act, and now

maintained by the State of California at Whittier, in the County of Los Angeles, therein, approved March 23, 1893, by amending Sections 4, 6, 9, and 11.

Read first time, and ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 15—An Act to appropriate $1,535 25 to pay the claim of W. W. Foote and Garret W. McEnerney for legal services rendered and expenses incurred by them in that certain action commenced in and decided by the Supreme Court of the State of California, and which was therein entitled "The People of the State of California, on the relation of John C. Lynch, petitioners, vs. James H. Budd, respondent," and numbered S. F. No. 600.

Also: Assembly Bill No. 120—An Act to provide additional support and maintenance, and for the acquisition of necessary property and improvements for the University of California, by the levy of a rate of taxation, and the creation of a fund therefor.

Also: Assembly Bill No. 132—An Act to authorize the erection of a sewage-pumping plant 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 pass.

GUY, Chairman.

Assembly Bill No. 15—An Act to appropriate $1,535 25 to pay the claim of W. W. Foote and Garret W. McEnerney, for legal services rendered and expenses incurred by them in that certain action commenced in and decided by the Supreme Court of the State of California, and which was therein entitled "The People of the State of California, on relation of John C. Lynch, petitioners, vs. James H. Budd, respondent," and numbered S. F. No. 600.

Read first time, and ordered on file for second reading.

Assembly Bill No. 120—An Act to provide additional support and maintenance, and for the acquisition of necessary property and improvements for the University of California, by the levy of a rate of taxation, and the creation of a fund therefor.

Read first time, and ordered on file for second reading.

Assembly Bill No. 132—An Act to authorize the erection of a sewage-pumping plant at the Folsom State Prison, and making an appropriation therefor.

Read first time, and ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 133—An Act authorizing the State Board of Prison Directors to purchase additional machinery for the rock-crushing plant at the Folsom State Prison, and making an appropriation therefor.

Also: Assembly Bill No 213—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of Southern Pacific Company vs. The Board of Railroad Commissioners of the State of California.

Also: Assembly Bill No. 229—An Act making an appropriation to pay the claim of Sarah H. Wing, for the killing of her husband, O. H. Wing.

Also: Assembly Bill No. 245—An Act making an appropriation to pay the claim of James H. Barry, publisher of the Star, for advertising the constitutional amendments.

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

GUY, Chairman.

Assembly Bill No. 133—An Act authorizing the State Board of Prison Directors to purchase additional machinery for the rock-crushing plant at the Folsom State Prison, and making an appropriation therefor.

Read first time, and ordered on file for second reading.

Assembly Bill No. 213—An Act making an appropriation to pay the

claim of Clement Bennett, for reporting in the case of Southern Pacific Company vs. The Board of Railroad Commissioners of the State of California.

Read first time, and ordered on file for second reading.

Assembly Bill No. 229—An Act making an appropriation to pay the claim of Sarah H. Wing, for the killing of her husband, O. H. Wing.

Read first time, and ordered on file for second reading.

Assembly Bill No. 245—An Act making an appropriation to pay the claim of James H. Barry, publisher of the Star, for advertising the constitutional amendments.

Read first time, and ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 312—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 as amended.

GUY, Chairman.

Assembly Bill No. 312—An Act to provide for the relief of Charles F. Wells, and to appropriate money therefor.

Read first time, and ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 193—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.

Also: Assembly Bill No. 317—An Act appropriating the sum of $15,000 for the erection in Golden Gate Park, San Francisco, Cal., of a monument or statue to the memory of Col. E. D. Baker, and appointment of a commission to carry into effect the provisions of this Act.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

GUY, Chairman.

Assembly Bill No. 193—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 recommitted to Committee on Ways and Means.

Assembly Bill No. 317—An Act appropriating the sum of $15,000 for the erection of a statue to the memory of Col. E. D. Baker, and appointment of a commission to carry into effect the provisions of this Act.

Read first time, and ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 246—An Act making an appropriation to pay the claim of James McClatchy & Co., publishers of the Bee, for advertising the constitutional amendments.

Also. Assembly Bill No. 248—An Act making an appropriation to pay the claim of the Herald Publishing Company, for advertising the constitutional amendments.

Also: Assembly Bill No. 224—An Act making an appropriation to pay the claim of Luke Kavanagh, for reporting and transcribing testimony for the Board of Health.

Also: Assembly Bill No. 340—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of the Southern Pacific Company vs. The Board of Railroad Commissioners.

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

GUY, Chairman.

Assembly Bill No. 246—An Act making an appropriation to pay the claim of James McClatchy & Co., publishers of the Bee, for advertising the constitutional amendments.

Read first time, and ordered on file for second reading.

Assembly Bill No. 248—An Act making an appropriation to pay the claim of the Herald Publishing Company, for advertising the constitutional amendments.

Read first time, and ordered on file for second reading.

Assembly Bill No. 224—An Act making an appropriation to pay the claim of Luke Kavanagh, for reporting and transcribing testimony for the Board of Health.

Read first time, and ordered on file for second reading.

Assembly Bill No. 340—An Act making an appropriation to pay the claim of Clement Bennett for reporting in the case of the Southern Pacific Company vs. The Board of Railroad Commissioners.

Read first time, and ordered on file for second reading.

ON PUBLIC LANDS AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: Your Committee on Public Lands and Forestry, to whom was referred Assembly Concurrent Resolution No. 2—Providing for the recession of the "Yosemite Valley and Mariposa Big Tree Grove" by the State of California to the General Government of the United States—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HARRIS, Chairman.

Mr. Caminetti moved that the consideration of Assembly Concurrent Resolution No. 2 be made special order for next Wednesday morning, immediately after reading of the Journal.

So ordered.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

Mr. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 35—An Act to authorize cities and towns owning public parks outside of their limits to lay out, construct, and maintain roads, streets, and boulevards from the boundaries of such cities and towns to, into, and through such parks, and to acquire lands for that purpose

Also: Senate Bill No. 36—An Act to extend the jurisdiction and authority of cities and towns over parks owned by them, situated beyond the limits of such cities and towns, and over streets and avenues leading to the same.

Also: Senate Bill No. 37—An Act to authorize cities and towns to grant franchises for the construction and maintenance of railroads beyond the limits of such cities or towns, leading to public parks owned thereby.

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

VALENTINE, Chairman.

Senate Bills Nos. 35, 36, and 37 ordered on second-reading file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1897.

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 501—An Act to amend Section 758 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 as amended.

VALENTINE, Chairman.

Assembly Bill No. 501—An Act to amend Section 758 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and ordered on file for second reading.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 326—An Act to amend Section 480 of the Civil Code, relating to reports to be made to the Board of Railroad Commissioners by railroad and other transportation companies, and fixing a penalty for failure to comply therewith—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CUTTER, Chairman.

Assembly Bill No. 326—An Act to amend Section 480 of the Civil Code, relating to reports to be made to the Board of Railroad Commissioners by railroad and other transportation companies, and fixing a penalty for failure to comply therewith.

Read first time, and ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 337—An Act to repeal 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 not pass.

CUTTER, Chairman.

Assembly Bill No. 337—An Act to repeal 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.

Read first time, and ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 313—An Act to amend Section 1 of an Act entitled "An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations," approved April 6, 1891—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the bill.

CUTTER, Chairman.

Assembly Bill No. 313 withdrawn by author.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 645—An Act to amend Section 737 of the Political Code, fixing and providing for the salaries of the Superior Courts of the City and County of San Francisco and the Counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, Yolo, and Calaveras, approved March 31, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BURNHAM, Chairman.

Assembly Bill No. 645—An Act to amend Section 737 of the Political Code, fixing and providing for the salaries of the Superior Courts of the City and County of San Francisco and the Counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, Yolo, and Calaveras, approved March 31, 1891.

Read first time, and ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 681—An Act concerning bridges across navigable streams—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by committee.

BURNHAM, Chairman.

Assembly Bill No. 681—An Act concerning bridges across navigable streams.

Read first time, and ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 140—An Act to amend Sections 237, 245, 246, and 268 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill 338—An Act to amend "An Act entitled an Act to establish a Penal Code," approved February 14, 1872, by amending Section 1329 thereof, relating to the payment of expenses of witnesses in criminal cases—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw it.

Also: Assembly Bill No. 550—An Act to amend Section 1885 of the Political Code of the State of California, relating to form of bonds, when payable—by order of the House is hereby returned.

WAYMIRE, Chairman.

Assembly Bill No. 338 withdrawn by author.

Assembly Bill No. 550—An Act to amend Section 1885 of the Political Code of the State of California, relating to form of bonds, when payable.

Read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 399—An Act to amend Section 1213 of the Civil Code of the State of California, relative to the recording of conveyances—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass as amended.

WAYMIRE, Chairman.

Assembly Bill No. 399—An Act to amend Section 1213 of the Civil Code of the State of California, relative to the recording of conveyances.

Read first time, and ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 375—An Act to confer further powers upon the Boards of Health of the municipalities and counties of this State—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

WAYMIRE, Chairman.

Assembly Bill No. 375—An Act to confer further powers upon the Boards of Health of the municipalities and counties of this State.

Read first time, and ordered on file for second reading.

At eleven o'clock and twenty minutes A. M., the Speaker called Mr. North, of Yolo, to the chair.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred resolution by Mr. Godfrey:

Resolved, That one hundred and twenty copies of the bound Journal of the thirty-second session of the Assembly be made, and one copy be sent by the Secretary to each incorporated town free public reading-room in the State, the payment for which to be provided for out of the State General Fund. [See Journal, January 11, p 14]

Have had the same under consideration, and respectfully report the same back, and recommend that the same be re-referred to the Committee on Ways and Means.

WAYMIRE, Chairman.

Resolution re-referred to Committee on Ways and Means.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 388—An Act to provide for the purchase or construction 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 without recommendation, and ask that said bill be referred to Committee on Ways and Means.

WRIGHT, Chairman.

Assembly Bill No. 388—An Act to provide for the purchase or construction of a residence for the Governor of California, and to appropriate money therefor.

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

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 1—An Act to provide for additions and improvements to the Deaf, Dumb, and Blind Asylum, and making an appropriation for the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and request that it be referred to Committee on Ways and Means.

WRIGHT, Chairman.

Assembly Bill No. 1—An Act to provide for additions and improvements to the Deaf, Dumb, and Blind Asylum, and making an appropriation for the same.

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

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1897.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 143—An Act to reappropriate $125,000 for the erection of buildings for the use of affiliated and other departments of the University of California, in San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WRIGHT, Chairman.

Assembly Bill No. 143 withdrawn by author.

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred the following resolution:

WHEREAS, It is now evident that a large number of persons, at the temporary organization of this Assembly, received money without rendering any service to the State, and

WHEREAS, These persons received this money by the vote of the Assembly, by a glaring mistake, therefore, be it

Resolved, That this Assembly make a diligent inquiry into the temporary attaché payroll, and report the names of all temporary attachés who rendered no service to the State; and

Resolved, That all persons who are now on the payroll of the permanent organization, and who were on the temporary attaché payroll and rendered no service, be made

to either return the money gotten by mistake from the State or be now dismissed from further service.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

MELICK, Chairman.

Mr. Leavitt moved that the report of the Committee on Commissions, Retrenchment, and Public Expenditures be adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred Assembly Bill No. 84—An Act to appropriate money for the support of aged persons in indigent circumstances—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

MELICK, Chairman.

Assembly Bill No. 84—An Act to appropriate money for the support of aged persons in indigent circumstances.

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

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

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

WHEREAS, It is reported that a number of attachés are absent and not performing their duties; therefore, be it

Resolved, That all attachés of this House be required to sign a roll at nine o'clock A. M. each day, and those absent without leave shall not be paid their per diem for such days as they are absent

Have had the same under consideration, and respectfully report the same back, and recommend that all clerks of the House and their assistants sign a roll each day at the Chief Clerk's desk, all other attachés sign at Sergeant-at-Arms' desk, and all absent without leave shall not be paid their per diem for such days as they are absent.

VOSBURG, Chairman.

Mr. Shanahan moved to amend report so that all who sign at Sergeant-at-Arms' desk do so at nine o'clock A. M.

Mr. Dibble moved to amend that the leave of absence must be granted by the House.

Mr. Price moved to amend that all such attachés as are needed by the Sergeant-at-Arms when the Assembly stands adjourned be required to be present, and that all others be excused upon such occasions.

Mr. Cutter moved to lay the whole matter on the table.

Roll call demanded by Messrs. Cutter, Dibble, and Chynoweth.

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

AYES—Messrs. Allen, Anderson, Arnerich, Austin, Bettman, Breiling, Canavan, Cutter, Damon, Dolan, Ennis, Gately, Guy, Harris, Henry, Hill, Jones, Keables, Kelly, Leavitt, Mahoney, Malcolm, McGrath, McLaurin, North of Yolo, Price, Robinson, Sims, and Soward—29.

NOES—Messrs Aldridge, Belshaw, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Dibble, Dryden, Elliott, Emmons, Fontana, Godfrey, Goodhue, Houghton, Hudson, Keegan, Kenyon, Landsborough, Mead, Melick, McCandlish, McClellan, Power of Placer, Rubell, Sanford, Shanahan, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—38.

Mr. Leavitt offered the following resolution as a substitute, and moved its adoption:

Resolved, That the Committee on Attachés and Employés be directed to report to this House the names of the attachés of this House who have not reported for duty, and of those who are not attending to their duties

The Speaker declared the resolution adopted.

Mr. Valentine appealed from the decision of the Chair, on the question of the adoption of the substitute.

Roll call demanded by Messrs. Valentine. Emmons, and Clarke.

At eleven o'clock and fifty-five minutes A. M., the Speaker resumed the chair and ruled the appeal out of order.

The question being, "Shall the resolution, as amended, be adopted?"

Ayes and noes demanded by Messrs. Valentine, Emmons, and Clarke.

The roll was called, and the resolution, as amended, passed by the following vote:

AYES—Messrs. Anderson, Arnerich, Austin, Bettman, Breiling, Bridgford, Caminetti, Canavan, Chynoweth, Cross, Cutter, Damon, Dolan, Ennis, Fontana, Gately, Goff, Guy, Harris, Henry, Hill, Jones, Keables. Kelly, Leavitt, Mahoney, Malcolm, McGrath, McLaurin, Pohlman, Price, Robinson, Sims, Soward, Toland, Waymire, Wright, and Mr Speaker—38.

NOES—Messrs. Aldridge, Allen, Belshaw, Burnett, Burnham, Cartwright, Clarke, Dibble, Dryden, Elliott, Emmons, Godfrey, Goodhue, Houghton, Hudson, Keegan, Lacy, Landsborough, Melick, McCandlish, McClellan, North of Alameda, North of Yolo, Power of Placer, Rubell, Sanford, Shanahan, Stram, Treacy, Valentine, and Vosburg—31.

At twelve o'clock and thirty minutes P. M., Mr. North, of Alameda, moved that the hour of recess be extended five minutes.

So ordered.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Shanahan: Assembly Bill No. 715—An Act amending Section 843 of the Code of Civil Procedure, relating to the appointment of guardians *ad litem* by Justices of the Peace.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 716—An Act to amend Section 2021 of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 717—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.

Referred to Committee on Claims.

By Mr. Clarke: Assembly Bill No. 718—An Act to amend Section 2643 of the Political Code, relating to the powers and duties of Boards of Supervisors, with regard to roads and highways.

Referred to Committee on Roads and Highways.

By Mr. Pohlman: Assembly Bill No. 719—An Act to repeal an Act entitled "An Act regulating the sale of mineral lands belonging to the State," approved March 28, 1874.

Referred to Committee on Mines and Mining Interests.

By Mr. Dryden: Assembly Bill No. 720—An Act to amend Section 1639 of Article VIII of the school law of California, defining and fixing the compensation of district census marshal.

Referred to Committee on Education.

Also: Assembly Bill No. 721—An Act to add a new section to the school law of California, to be designated Section 1652 of Article IX, defining the duties of clerks of school districts.

Referred to Committee on Education.

By Mr. Kelly: Assembly Bill No. 722—An Act to amend Section 2209

of the Civil Code, in relation to damages awarded when messages, including telegraphic messages, are refused and postponed.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 723—An Act to amend Section 541 of the Civil Code, relating to telegraphic corporations.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 724—An Act to amend Section 2168 of the Civil Code, relating to common carriers.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 725—An Act to add a new section to the Civil Code, to be known and designated as Section 512, relating to street railroads.

Read first time, and referred to Committee on Corporations.

By Mr. North, of Alameda: Assembly Bill No. 726—An Act to amend Section 717 of the Civil Code of the State of California, relative to leases of lots.

Read first time, and referred to Committee on Judiciary.

By Mr. Arnerich: Assembly Bill No. 727—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 all Acts and parts of Acts in conflict with this Act."

Read first time, and referred to Committee on Agriculture.

By Mr. Ennis: Assembly Bill No. 728—An Act to amend Section 4 of an Act entitled "An Act for the incorporation of societies for the prevention of cruelty to children," approved April 3, 1876.

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

By Mr. Price: Assembly Bill No. 729—An Act to amend Section 3571 of the Political Code, relating to the repayment of purchase price of land sold which is not the property of the State, and providing for a certificate of restitution, to issue when the certificate of purchase to such land has been annulled for non-payment of interest.

Referred to Committee on Judiciary.

By Committee on Irrigation: Assembly Bill No. 730—An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts; and also to provide for the distribution of water for irrigation purposes.

Referred to Committee on Irrigation.

By Mr. Burnham: Assembly Bill No. 731—An Act to amend Section 907 of the Political Code, relative to time when oaths of office must be taken and filed.

Referred to Committee on Judiciary.

By Mr. Vosburg: Assembly Bill No. 732—An Act to amend an Act entitled "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."

Referred to Committee on Judiciary.

By Mr. Lacy: Assembly Bill No. 733—An Act to regulate the rental and charges for the use of telephones in this State, and fixing the penalty for excessive charges.

Referred to Committee on Corporations.

By Committee on Commissions, Retrenchment, and Public Expenditures: Assembly Bill No. 734—An Act to repeal an Act of the Legislature of the State of California entitled "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," approved March 28, 1895.

Referred to Committee on Commissions, Retrenchment, and Public Expenditures.

By Mr. Hill: Assembly Bill No. 735—An Act making an appropriation to pay the claim of Charles Nelson, arising upon the judgment recovered by said Nelson against the State of California in the Superior Court of the City and County of San Francisco, on May 27, 1896.

Referred to Committee on Claims.

RESOLUTION.

By Mr. Kenyon:

Resolved, That the post office of the Assembly be kept open from eight o'clock P. M. to nine o'clock and thirty minutes P. M. for the remaining days of the thirty-second session.

Adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 3, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to pass Assembly Bill No. 98—An Act to amend Section 1369 and Section 1379 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the competency and appointment of administrators of estates of deceased persons.

F. J. BRANDON, Secretary.
By G W McINTYRE, Assistant.

Assembly Bill No. 140—An Act to amend Sections 237, 245, 246, and 268 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

Mr. Belshaw moved that the Assembly do now take up for consideration Assembly Bill No. 140.

So ordered.

Mr. Waymire moved that Assembly Bill No. 140 be referred to Mr. Belshaw, as a special committee of one, to put the same in order.

So ordered.

Mr. Belshaw moved that Assembly Bill No. 140 be made the special order immediately after recess.

So ordered.

RESOLUTIONS.

By Mr. McClellan:

WHEREAS, One J. Wilkins has from the beginning of this session of the Legislature done good and efficient service in caring for the gentlemen's toilet-room, and

WHEREAS, We deem it very necessary that said room should be well cared for; therefore, be it

Resolved, That the Sergeant-at-Arms be and is hereby instructed to draw his warrant upon the State Treasurer in favor of said J. Wilkins for a salary of $4 per diem from the beginning of this session, January 4, 1897, said salary to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Canavan:

WHEREAS, There is now pending before your Committee on State Prisons and Reformatory Institutions a bill providing for the consolidation of the State Prison at San Quentin with the State Prison at Folsom; and

WHEREAS, Said bill requires an appropriation involving the sum of $100,000; and

WHEREAS, It is the desire of the committee that it should be permitted an opportunity to visit and inspect both of said prisons at San Quentin and Folsom, respectively, in order to more properly act upon said bill; therefore, be it

Resolved, That all of the members of said committee be and are hereby granted permission to visit both institutions, and that they be allowed their actual expenses that may be accrued on such trip, payable out of the Contingent Fund of this Assembly.

On motion of Mr. Canavan, the rules were suspended and the resolution adopted.

By Mr. McGrath:

Resolved, That the Judiciary Committee of this body be instructed to report to this body, upon the next legislative day, the result of its deliberations upon the question as to whether or not the Speaker shall receive from the Secretary of State the depositions taken in contest for the seats of certain members of this body.

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

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 and fifteen minutes P. M. Speaker Coombs in the chair.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Wright for the morning session.

PETITIONS.

The following petitions were presented, and referred to committees as follows:

By Mr. Aldridge: From citizens of Santa Cruz, asking for woman's suffrage.

Referred to Committee on Constitutional Amendments.

By Mr. Caminetti: From citizens of Plymouth, Amador County, asking for a Sabbath law.

Referred to Committee on Public Morals.

By Mr. Rubell: From citizens of Hollister, asking for a Sabbath law.

Referred to Committee on Public Morals.

By Mr. Strain: From citizens of Anderson, asking for a Sabbath law.

Referred to Committee on Public Morals.

By Mr. Sanford: From citizens of Willits, asking for a Sabbath law.

Referred to Committee on Public Morals.

By Mr. Aldridge: From citizens of Corralitos, asking for a Sabbath law.

Referred to Committee on Public Morals.

By Mr. Guy: From citizens of San Diego, asking for a Sabbath law.
Referred to Committee on Public Morals.

By Mr. Goff: From citizens of San Bernardino, asking for a Sabbath law.

Referred to Committee on Public Morals.

By Mr. Caminetti: From citizens of Placerville, asking for a Sunday law.

Referred to Committee on Public Morals.

Also: From citizens of Ranlett, Amador County, asking for a Sabbath law.

Referred to Committee on Public Morals.

By Mr. Strain: From citizens of Cedarville, asking for a Sabbath law.
Referred to Committee on Public Morals.

By Mr. Burnham: From citizens of Placer County, asking for a Sunday law.

Referred to Committee on Public Morals.

Also: From citizens of El Dorado County, asking for a Sunday law.
Referred to Committee on Public Morals.

By Mr. Aldridge: From citizens of Santa Cruz, asking for a Sabbath law.

Referred to Committee on Public Morals.

LEAVE OF ABSENCE.

Mr. Keables was granted leave of absence for last Saturday.

RECONSIDERATION.

Mr. Caminetti moved to reconsider the vote whereby Assembly Bill No. 29 was on yesterday refused final passage.

So ordered.

Assembly Bill No. 29—An Act entitled "An Act to amend Section 1192 of the Code of Civil Procedure."

Mr. Soward moved that a select committee of one be appointed by the Speaker to make the following amendment:

By striking out on page 2 in line 21, printed bill, all after the words "in some conspicuous place on such mine," and inserting in lieu thereof the following words: "and recording the same with the Recorder of the county where such is situated, together with an affidavit showing such posting, and any labor done or material furnished thereafter, while the mine is under the same management or the assigns or successors thereof, shall not form the basis of any lien upon such mine therefor."

So ordered.

The Speaker appointed Mr. Soward such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 29—An Act to amend Section 1192 of the Code of Civil Procedure—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.

SOWARD, Committee.

Adopted.

INTRODUCTION OF BILLS, ETC.—(OUT OF ORDER).

By Mr. Waymire: Assembly Constitutional Amendment No. 31—Proposed amendment to Article XIII, Section 1, of the Constitution, relative to revenue and taxation.

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

By Mr. McCandlish: Assembly Bill No. 736—An Act making an appropriation to pay for the repairs and construction of buildings in Yosemite Valley, and for the improvement of the valley.

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

By Mr. Sims: Assembly Bill No. 737—An Act to amend an Act entitled "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," approved March 26, 1895.

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

MOTIONS.

Mr. Cutter moved that Assembly Bill No. 528 be re-referred to Committee on Corporations.

So ordered.

Mr. Wright moved that the rules be suspended and that Assembly Bill No. 120 be taken up out of order, and made special order for to-morrow morning, immediately after reading of the Journal.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Chairman of the Committee on Public Buildings and Grounds, instructed by resolution to inspect the public institutions of Southern California, having visited those located at Stockton, Los Angeles, Whittier, San Diego, and Highlands, now presents account of expenses, as per itemized bill and voucher hereto annexed.

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Howard E. Wright for the sum of $67 85, as per annexed account and voucher; said warrant to be drawn upon the fund for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

SACRAMENTO, February 1, 1897.

Received of Mr. H. E. Wright, $45 10, on account of railroad fares and Pullman service, Sacramento to San Diego, and return.

C. A. THURSTON.

Railroad fare and Pullman fare, as per voucher	$45 10
Fare, Sacramento to San Francisco	2 50
Sleeper and meal	1 70
Hotel expenses and meals, San Francisco	4 00
Fare, San Francisco to San José	1 25
Meals, San José	1 25
Fare, San José to Tracy	1 90
Meal on Pullman	1 00
Meal at Mojave	75
Car fare, Los Angeles	35
Car fare, San Diego	20
Meals, San Diego	2 00
Meals, San Bernardino	1 25
Meals, Los Angeles	2 00
Porter and meals on Pullman	2 60
	$67 85

WRIGHT, Chairman.

On motion of Mr. Wright, the rules were suspended and the report adopted.

SPECIAL ORDER.

Assembly Bill No. 140—An Act to amend Sections 237, 245, 246, and 268 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

The following amendments were offered by Mr. Belshaw:

AMENDMENT No. 1.

Amend by striking out of Section 2, line 17, the word "Postmistress," and inserting the following: "Postmaster."

Adopted.

AMENDMENT No. 2.

Amend by striking out of Section 3, line 16, the word "Postmistress" and inserting the following: "Postmaster."

Adopted.

AMENDMENT No. 3.

Amend by striking out of Section 3, line 17, the word "Postmistress," and inserting the following. "Postmaster."

Adopted.

AMENDMENT No. 4.

Amend by striking out of Section 2, line 16, the word "Postmistress," and inserting the following: "Postmaster."

Adopted.

Mr. Belshaw offered the following as a substitute for Section 4:

SEC. 4. Section two hundred and sixty-eight of the Political Code is hereby amended so as to read as follows:

Section 268 There shall be paid to the officers and employés of the Senate the following salaries: To the Secretary, $8 per day; to the Assistant Secretaries, Sergeant-at-Arms, Minute Clerk, Assistant Minute Clerks, Journal Clerk, Engrossing and Enrolling Clerk, and History Clerk, each $6 per day; to Assistant Sergeant-at-Arms, Bookkeeper to Sergeant-at-Arms, Assistant Journal Clerks, Assistant Engrossing and Enrolling Clerks, each $5 per day; to Chaplain, $4 per day; to the Stenographers, each $5 per day; to the Bill Clerks, Committee Clerks (excepting that one Clerk of the Judiciary Committee and one Clerk of the Finance Committee shall receive each $6 per day), Postmaster, Assistant Postmaster, Bill Filers, each $4 per day; to the Mail Carrier, Porters, Watchmen, Gatekeepers, Doorkeepers, Messenger to the Printer, each $3 per day; to each Page, $2 50 per day. There shall be paid to the officers and employés of the Assembly the following salaries: To the Clerk, $8 per day; to the Assistant Clerks, Sergeant-at-Arms, Minute Clerk, Assistant Minute Clerks, Journal Clerk, Engrossing and Enrolling Clerk, and History Clerk, each $6 per day; to the Assistant Sergeant-at-Arms, Bookkeeper to Sergeant-at-Arms, Assistant Journal Clerks, Assistant Engrossing and Enrolling Clerks, each $5 per day; to the Chaplain, $4 per day; to the Stenographers, each $5 per day, to the Committee Clerks (except that one Clerk of the Ways and Means Committee and one Clerk of the Judiciary Committee shall each receive $6 per day); Bill Clerks, Postmaster, Assistant Postmaster, Bill Filers, each $4 per day; to the Mail Carrier, Committee Messengers, Porters, Watchmen, Gatekeepers, Messenger to Printer, each $3 per day; to each Page, $2 50 per day. And no other officer or employé of the Senate or Assembly, whose per diem is not hereinbefore fixed, shall receive a per diem exceeding the sum of $5.

Adopted.

Mr. Dibble moved that Mr. Belshaw be appointed a committee of one to prepare a substitute for Assembly Bill No. 140.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 3, 1897.

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

Senate Joint Resolution No. 6—Relative to the establishment of a National Leper Asylum by the Government of the United States.

Also: Senate Bill No. 32—An Act to amend Section 3633 of the Political Code of the State of California, relating to the assessment of property of persons neglecting or refusing to make and give to the Assessor a statement of their property.

Also: Senate Bill No. 289—An Act to change the name of the Industrial Home of Mechanical Trades for the Adult Blind of California to "Home for Adult Blind."

Also: Senate Bill No. 128—An Act to amend Section 1723 of the Code of Civil Procedure, relating to the disposition of life estates, or homestead or community property, on owner's death, in certain cases

Also: Assembly Bill No. 129—An Act to amend Section 164 of the Civil Code of the State of California, relating to conveyances of real property by married women, and

limiting the time in which to commence actions for recovery of community property by husbands.

Also: Senate Bill No. 81—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 397 thereof, relating to penalties for selling liquor to habitual or common drunkards and Indians.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Senate Joint Resolution No. 6—Relative to establishment of a leper asylum by the Government of the United States.

Referred to Committee on Federal Relations.

Senate Bill No. 289—An Act to change the name of the Industrial Home of Mechanical Trades for the Adult Blind of California to "Home for Adult Blind."

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

Senate Bill No. 129—An Act to amend Section 164 of the Civil Code of the State of California, relating to conveyances of real property by married women, and limiting the time in which to commence actions for recovery of community property by husbands.

Read first time, and referred to Committee on Revision of Codes and Statutes.

Senate Bill No. 128—An Act to amend Section 1723 of the Code of Civil Procedure, relating to the disposition of life estates, or homestead or community property, on owner's death, in certain cases.

Read first time, and referred to Committee on Revision of Codes and Statutes.

Senate Bill No. 81—An Act to amend an Act entitled "An Act to establish a Penal Code, approved February 14, 1872, by amending Section 397 thereof, relating to penalties for selling liquor to habitual or common drunkards and Indians.

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

Senate Bill No. 32—An Act to amend Section 3633 of the Political Code of the State of California, relating to the assessment of property of persons neglecting or refusing to make or give to the Assessor a statement of his property.

Read first time, and referred to Committee on Revision of Codes and Statutes.

SENATE SPECIAL FILE.

Senate Bill No. 107—An Act to require an inventory of State and county property, and directing that a record of the same be kept.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Fontana, Foreman, Gately, Goff, Goodhue, Harris, Houghton, Hudson, Jones, Keables, Keegan, Lacy, Landsborough, Malcolm, Mead, Melick, McCandlish, McClellan, Pohlman, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, and Mr. Speaker—59.

NOES—Messrs. North of Alameda, and Wright—2

Title read and approved.

MOTION.

Mr. Soward moved that the rules be suspended and Assembly Bill No. 29 made the special order for to-morrow morning, immediately after reading of the Journal.

Lost.

ASSEMBLY SPECIAL FILE.

Assembly Bill No. 170—An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnett, Burnham, Canavan, Chynoweth, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Ennis, Fontana, Gately, Godfrey, Goff, Goodhue, Harris, Hudson, Jones, Keables, Lacy, Mahoney, Malcolm, Mead, Mulcrevy, McCandlish, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Robinson, Ryan, Strain, Treacy, Vosburg, Waymire, and Wright—45.

NOES—Messrs. Aldridge, Boone, Bridgford, Cartwright, Clarke, Elliott, Foreman, Hill, Houghton, Keegan, Landsborough, Melick, McClellan, Rubell, Sanford, Shanahan, Soward, Stansell, Toland, and Mr. Speaker—20.

Title read and approved.

Assembly Bill No. 405—An Act making an appropriation for improving the Capitol buildings and grounds.

Passed on file.

Assembly Constitutional Amendment No. 1—Proposed amendment to Section 1 of Article XVIII of the Constitution, relative to amendments.

Passed on file.

Mr. North moved that all the Constitutional Amendments be passed on file.

So ordered.

Assembly Constitutional Amendment No. 2—Proposed amendment to Section 1, Article IV, of the Constitution, relative to legislative power.

Passed on file.

Assembly Constitutional Amendment No. 3—Proposed amendment to Section 11, Article XI, of the Constitution, relative to elections.

Passed on file.

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to Section 8 of Article I of the Constitution of the State of California, relative to grand juries.

Passed on file.

Assembly Constitutional Amendment No. 21—Resolution proposing an amendment to Section 1 of Article XVIII of the Constitution of the State of California.

Passed 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, relative to revenue and taxation.

Passed on file.

Assembly Constitutional Amendment No. 23—Proposition to amend the Constitution by striking out Sections 22 and 23 of Article XII, relating to a Railroad Commission.

Passed on file.

Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to Section 12 of Article XIII of the Constitution of the State of California, relative to the levy and collection of a poll tax.

Passed on file.

MOTIONS.

Mr. Dibble moved that Assembly Constitutional Amendments be made special order for next Tuesday, immediately after Senate special file.

So ordered.

Mr. Waymire moved that the Journal of yesterday be corrected to show that he gave notice of reconsideration whereby Assembly Bill No. 528 was lost.

So ordered.

Mr. Waymire moved that Assembly Bill No. 528 be re-referred to Committee on Corporations.

So ordered.

Mr. North moved that the Assembly now take up consideration of the second-reading file.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 196—An Act: Be it enacted by the Assembly in session, 1897, the Senate concurring, that the following Act be added to the road law of California, to be numbered Section 2737½, Article VIII.

Passed on file.

Assembly Bill No. 199—An Act to amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gate.

Passed on file.

Assembly Bill No. 141—An Act to regulate the profession, and provide for the registration of public accountants.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out all of Section 1, printed bill, after the word "accounts" on line 6.

Adopted.

AMENDMENT No. 2.

Strike out the word "three" on line 4, Section 2, printed bill, and insert the word "two" in place thereof.

Adopted.

AMENDMENT No. 3.

Strike out all of Section 6 of printed bill.

Adopted.

AMENDMENT No. 4.

Strike out all of Section 7 of printed bill.

Adopted.

AMENDMENT No. 5.

Strike out figure "8," last line of printed bill, and insert "6" in place thereof.

Adopted.

Senate Bill No. 141 ordered to engrossment and third reading.

Assembly Bill No. 144—An Act to secure the payment of the claims

of materialmen, mechanics, or laborers employed by contractors upon State, municipal, or other public work.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out Section 3 of bill.

Adopted.

AMENDMENT No. 2.

Strike out figure "4" in last line and insert figure "3."

Adopted.

Assembly Bill No. 144 ordered to engrossment and third reading.

Assembly Bill No. 194—An Act to amend Section 1187 of the Code of Civil Procedure, concerning the filing of mechanics' liens, by adding a provision requiring the owner of real property to give notice of completion of improvements thereon.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend title by striking out all after the words "mechanics' liens."

Adopted.

AMENDMENT No. 2.

Add after the word "owner," on line 25 of printed bill, "and all persons deriving title from him, and all persons claiming an interest in said property."

Adopted.

AMENDMENT No. 3.

After the word "person," on line 53, printed bill, insert the following: "*provided, however*, that in any event all claims of lien must be filed within ninety days after the completion of said building, improvement, or structure, or the alteration, addition to, or repair thereof."

Adopted.

Assembly Bill No. 194 ordered to engrossment and third reading.

Assembly Bill No. 600—An Act to add a new section to the Code of Civil Procedure, to be known as Section 1187½, concerning the filing of liens by the executor or administrator of mechanics and others.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 601—An Act to amend Section 105 of the Civil Code.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 602—An Act to amend Section 106 of the Civil Code.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 603—An Act to amend Section 268 of the Civil Code.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 604—An Act to amend Section 291 of the Civil Code.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 605—An Act to amend Section 293 of the Civil Code.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 606—An Act to amend Section 536 of the Civil Code.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 607—An Act to amend Section 1670 of the Political Code.

Read second time.

The following amendments were submitted by Mr. North, of Yolo:

AMENDMENT No. 1.

Amend by striking out of Section 1670, page 1, line 4, the words "having a population of one thousand inhabitants," and inserting the following: "accredited by the last preceding school census with a school population of three hundred."

Adopted.

AMENDMENT No. 2.

Amend Section 1670, page 2, line 38, after the word "county," by inserting the following: "*provided*, that said districts are accredited by said school census with a school population of three hundred or more.'

Adopted.

AMENDMENT No. 3.

Amend Section 1670, page 11, line 378, after the word "district," by inserting the following: "that has existed three years or more."

Adopted.

AMENDMENT No. 4.

Amend Section 1670, page 11, line 383, after the word "families," by inserting the following: "as shown by the last preceding school census."

Adopted.

Further consideration postponed.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Belshaw: Assembly Bill No. 738—An Act to amend Sections 237, 245, 246, and 268 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 for second reading.

Mr. Belshaw asked consent to withdraw Assembly Bill No. 140 and have Assembly Bill No. 738 substituted, and made the special order for Monday morning, immediately after reading of the Journal.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 565—An Act to amend Section 199 of the Code of Civil Procedure, relative to the disqualification of jurors—have had the same under consideration, and respectfully report the same back, and recommend that the accompanying bill be substituted therefor, and that it do pass.

BURNHAM, Chairman.

Assembly Bill No. 565—An Act to amend Section 199 of the Code of Civil Procedure, relating to the disqualification of jurors, by adding a subdivision thereto, to be numbered subdivision 3.

Read first time, and placed on file for second reading.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on County and Township Governments: Assembly Bill No. 739—An Act to amend Section 199 of the Code of Civil Procedure, relative to the disqualification of jurors.

Read first time, and placed on file for second reading.

MESSAGES FROM THE SENATE.

Mr. Dibble moved to take up Senate messages.

So ordered.

SENATE CHAMBER, SACRAMENTO, February 4, 1897.

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

Senate Bill No. 106—An Act to amend Section 412 of the Penal Code, relating to boxing or sparring matches, and prize or ring fights.

Also: Senate Bill No. 195—An Act to regulate medical practice, to prevent blindness in infants.

Also: Senate Bill No. 338—An Act to amend Sections 2292, 2293, 2294, of Chapter III, Title V, of the Political Code, relating to the State Library.

Also: Senate Bill No. 131—An Act entitled "An Act to amend Section 3785 of the Political Code of the State of California, relating to the revenue and taxes of the State of California, and providing for the taking of tax deeds by the State, and fixing a limitation as to the time within which deeds may be taken by purchasers other than the State of California"

Also Senate Bill No. 132—An Act to amend Section 1207 of the Civil Code, relating to transfers of real property, and fixing a time when defective certificates of acknowledgment shall become valid.

Also: Senate Bill No. 53—An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor

Also: Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

F. J. BRANDON, Secretary.

Senate Bill No. 106—An Act to amend Section 412 of the Penal Code, relating to boxing or sparring matches, and prize or ring fights.

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

Senate Bill No. 195—An Act to regulate medical practice, to prevent blindness in infants.

Read first time.

Mr. Dibble moved that Senate Bill No. 195 be placed on the Senate special file.

So ordered.

Senate Bill No. 338—An Act to amend Sections 2292, 2293, and 2294, of Chapter III, Title V, of the Political Code, relating to the State Library.

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

Senate Bill No. 131—An Act entitled an Act to amend Section 3785 of the Political Code of the State of California, relating to the revenue and taxes of the State of California, and providing for the taking of tax deeds by the State, and fixing a limitation as to the time within which deeds may be taken by purchasers other than the State of California.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 132—An Act to amend Section 1207 of the Civil Code, relating to transfers of real property, and fixing a time when defective certificates of acknowledgment shall become valid.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 53—An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor.

Read first time, and referred to Committee on Agriculture.

Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

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

Also:

SENATE CHAMBER, SACRAMENTO, February 4, 1897.

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

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Also: Senate Bill No. 179—An Act to amend Section 581 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the dismissal of civil actions.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

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

Senate Bill No. 179—An Act to amend Section 581 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 first time, and referred to Committee on Revision of Codes and Statutes.

Also:

SENATE CHAMBER, SACRAMENTO, February 4, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate passed the following Assembly Bill on this day:

Assembly Bill No 253—An Act to increase the number of Judges of the Superior Court of the County of Santa Clara, and to provide for the appointment of an additional Judge.

F. J. BRANDON, Secretary.

Assembly Bill No. 253—An Act to increase the number of Judges of the Superior Court of the County of Santa Clara, and to provide for the appointment of an additional Judge.

Assembly Bill No. 253 ordered to enrollment.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 308—An Act to establish as public schools, technical schools endowed by private gift, coming within certain requirements, and to encourage such endowments.

Passed on file.

Assembly Bill No. 449—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885, and to add four new sections thereto, all relating to the State Board of Dental Examiners, and regulating the practice of dentistry in this State.

Passed on file.

ADJOURNMENT.

At four o'clock and fifteen minutes P. M., Mr. Dibble moved to adjourn.

So ordered.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 5, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

LEAVE OF ABSENCE.

Mr. Lindenberger was granted leave of absence for Tuesday, Wednesday, and Thursday, of the present week.

CORRECTION OF JOURNAL.

Mr. Wright moved that the Journal of February 2d be corrected to show that he had signed the report on Public Buildings and Grounds.

So ordered.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Wednesday, February 3d, was corrected and approved.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.:

Assembly Bill No 600—An Act to add a new section to the Code of Civil Procedure, to be known as Section 1187½, concerning the filing of liens by the executor or administrator of mechanics and others.

Assembly Bill No. 601—An Act to amend Section 105 of the Civil Code.

Assembly Bill No 602—An Act to amend Section 106 of the Civil Code.

Assembly Bill No. 603—An Act to amend Section 268 of the Civil Code.

Assembly Bill No. 604—An Act to amend Section 291 of the Civil Code.

Assembly Bill No. 605—An Act to amend Section 293 of the Civil Code.

Assembly Bill No. 606—An Act to amend Section 536 of the Civil Code.

AUSTIN, Chairman.

SPECIAL ORDERS.

Assembly Bill No. 172—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Mr. Shanahan moved that Assembly Bill No. 172 be passed temporarily.

So ordered.

Assembly Bill No. 83—An Act to amend 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 directions in the discharge of his duties as such commissioner," approved March 24, 1893.

Mr. Dibble moved that the bill be recommitted to the Committee on Mines and Mining Interests, with request that they offer a substitute, and the bill retain its place on file.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly reengrossed, viz.:

Assembly Bill No. 172—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

AUSTIN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed, viz.:

Assembly Bill No. 257—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 186, relating to counties of the twenty-fourth class.

AUSTIN, Chairman.

Mr. Shanahan moved that the Assembly do now take up the consideration of Assembly Bill No. 172.

So ordered.

At ten o'clock and thirty minutes the Speaker called Mr. Kenyon, Speaker pro tem., to the chair.

Assembly Bill No. 172—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Read third time.

At eleven o'clock and fifteen minutes A. M., Speaker Coombs resumed the chair.

PREVIOUS QUESTION.

Pending the consideration of the bill, the previous question was moved by Mr. Dennery, seconded by Messrs. Ryan and Harris.

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. Aldridge, Allen, Arnerich, Austin, Boone, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Stansell, Strain, Toland, Treacy, Vosburg, Wright, and Mr. Speaker—63.

NOES—Messrs. Breiling, Bridgford, North of Alameda, North of Yolo, Sims, and Valentine—6

Title read and approved.

CORRECTION OF JOURNAL.

Mr. Sims moved to reconsider the vote whereby the Journal of Tuesday was approved.

So ordered.

Mr. Sims moved that the Journal be corrected to show that Mr. Ennis made motion to suspend the rules and make Assembly Bills Nos. 83 and 304 special order.

So ordered.

APPROVAL OF JOURNAL.

The Journal of Tuesday, February 2d, was then approved.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 304—An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing and directing him and them to perform certain duties relating to drainage; to purchase machinery, tools, dredgers, and appliances therefor; to improve and rectify water channels; to erect works necessary and incident to said drainage; to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act.

Read second time.

Mr. Cutter moved that the Assembly do now go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 304.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 304 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 304—An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing and directing him and them to perform certain duties relating to drainage; to purchase machinery, tools, dredgers, and appliances therefor; to improve and rectify water channels; to erect works necessary and incident to said drainage; to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act—and now report the same back to the House, and recommend that the same do pass as amended.

COOMBS, Chairman.

The following committee amendments to Assembly Bill No. 304 were submitted:

AMENDMENT No. 1.

Amend by inserting after the word "California," Section 1, line 3, the words "and not all members of the same political party."

Adopted.

AMENDMENT No. 2.

Amend by striking out of Section 1, lines 13 and 14, the words "the Governor shall be ex officio a member of the board, and when present shall preside at the meeting."

Adopted.

AMENDMENT No. 3.

Amend by inserting in Section 5, line 8, after the word "one," the word "daily."

Adopted.

AMENDMENT No. 4.

Amend by inserting in Section 5, line 9, after the words "San Francisco," the words "for at least one week."

Adopted.

AMENDMENT No. 5.

Amend by striking out of Section 5, lines 9 and 10, the words "for at least two weeks prior to the day fixed," and inserting the following: "*provided*, that at least two weeks shall intervene between the last publication of said notice and the time."

Adopted.

Mr. Cutter moved that the rules be suspended, and that Assembly Bill No. 304 be made special order for next Thursday, immediately after reading of the Journal.

The ayes and noes were demanded by Messrs. Dibble, Chynoweth, and Ennis.

CALL OF THE HOUSE.

Pending the roll call, Mr. Cutter moved a call of the House, seconded by Messrs. Bridgford and North of Alameda.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker.

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

So ordered.

The question being, "Shall Assembly Bill No. 304 be made special order for Monday morning, immediately after reading of the Journal?"

The roll was called, and the motion to make special order carried by the following vote:

AYES—Messrs. Aldridge, Anderson, Belshaw, Bettman, Breiling, Bridgford, Burnham, Caminetti, Cartwright, Clarke, Cross, Cutter, Damon, Dennery, Elliott, Ennis, Fontana, Goodhue, Guy, Harris, Hill, Houghton, Landsborough, Leavitt, McClellan, North of Alameda, North of Yolo, Power of Placer, Price, Robinson, Rubell, Sanford, Sims, Soward, Treacy, Valentine, and Wright—37.

NOES—Messrs. Allen, Arnerich, Austin, Burnett, Canavan, Chynoweth, Dibble, Dolan, Dryden, Foreman, Gately, Godfrey, Goff, Hudson, Jones, Keegan, Kelly, Lacy, Lindenberger, Mahoney, Melick, Mulcrevy, McCandlish, McGrath, McLaurin, Pohlman, Power of San Francisco, Ryan, Shanahan, Toland, Vosburg, and Mr Speaker—32.

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 483—An Act making an appropriation to pay the claim of Modoc County against the

State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be referred to the Committee on Ways and Means.

BELSHAW, Chairman.

Assembly Bill No. 483—An Act making an appropriation to pay the claim of Modoc County against the State of California.

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

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 51—An Act governing the transportation of the insane from the counties in which they have been committed to the asylums of the State of California, and designating the person or persons who shall convey such insane persons to said asylums—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

MALCOLM, Chairman.

Assembly Bill No. 51—An Act governing the transportation of the insane from counties in which they have been committed to the asylums of the State of California, and designating the person or persons who shall convey such insane persons to said asylums.

Read first time, and ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 523—An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution, to provide for the support of all inmates therein, and to repeal all Acts or 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 as amended.

MALCOLM, Chairman.

Assembly Bill No. 523—An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally-enfeebled paralytics into said institution, to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act.

Read first time, and ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bills Nos. 92, 93, 94, 95, 96, 110, 50, 52, 108, 109, 163, 349, 435, 593, 436, 524, 525, 526, and 527—have had the same under consideration, and respectfully ask that more time be granted to consider the same.

MALCOLM, Chairman.

Report adopted.

THE SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee, the San Francisco Delegation, to whom was referred Assembly Bill No. 594—An Act to reduce the rates of fares on street railroads within the corporate limits of municipal corporations of the first class, and to require the issuance of tickets not exceeding sixty, at reduced rates, to any one person—have had the same under consideration, and respectfully report the same back, and recommend that the committee substitute herein do pass

MULCREVY, Chairman.

By San Francisco Delegation: Assembly Bill No. 740 (Substitute for Assembly Bill No. 594)—An Act to reduce the rates of fares on street railroads within the incorporated limits of municipal corporations

of the first class, and to require the issuance of tickets, not exceeding sixty, at reduced rates, to any one person.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee, the San Francisco Delegation, to whom was referred Assembly Bill No. 291—An Act supplementary to an Act entitled "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 building or buildings for municipal purposes," approved March 27, 1895—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MULCREVY, Chairman.

Assembly Bill No. 291—An Act supplementary to an Act entitled "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," approved March 24, 1895.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee, the San Francisco Delegation, to whom was referred Assembly Bill No. 258—An Act to regulate the salaries of certain officers in the police department of counties, cities, and cities and counties of this State having a population of two hundred thousand or more inhabitants, and to provide for the appointment and salaries of other officers of such department—have had the same under consideration, and respectfully report the same back, and recommend that the committee substitute herein do pass.

MULCREVY, Chairman.

By San Francisco Delegation: Assembly Bill No. 741 (Substitute for Assembly Bill No. 258)—An Act to regulate the salaries of certain officers in the police department within municipalities of the first class in the State of California, and to provide for the appointment and salaries of other officers of such departments.

Read first time, and placed on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 355—An Act to amend Section 270 of the Code of Civil Procedure, relative to the qualifications and competency of phonographic reporters of the courts of this State—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

WAYMIRE, Chairman.

Assembly Bill No. 355—An Act to amend Section 270 of the Code of Civil Procedure, relative to the qualifications and competency of phonographic reporters of the courts of this State.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 145—An Act to legalize certain acknowledgments of instruments affecting real estate.

Also: Assembly Bill No. 308—An Act to establish as public schools, technical schools endowed by private gift, coming within certain requirements, and to encourage such endowments.

Also: Assembly Bill No. 622—An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in

Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State Home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State

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

WAYMIRE, Chairman.

Assembly Bill No. 622—An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State Home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State.

Read first time, and placed on file for second reading.

Assembly Bill No. 308—An Act to establish as public schools, technical schools endowed by private gifts coming within certain requirements, and to encourage such endowments.

Read first time, and placed on file for second reading.

Assembly Bill No. 145—An Act to legalize certain acknowledgments of instruments affecting real estate.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 165—An Act to amend Section 475 of the Code of Civil Procedure of the State of California, relating to errors and defects and reversals of judgments and orders.

Also: Assembly Bill No. 395—An Act to amend 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: Assembly Bill No. 400—An Act to amend Section 456 of the Civil Code, relating to railroads

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

WAYMIRE, Chairman.

ON JUDICIARY—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: The undersigned, a minority of your Committee on Judiciary, to whom was referred Assembly Bill No. 395—An Act to amend 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 without amendments.

BRIDGFORD.
SOWARD.
BOONE.
DIBBLE.

Assembly Bill No. 165—An Act to amend Section 475 of the Code of Civil Procedure of the State of California, relating to errors and defects and reversals of judgments and orders.

Read first time, and ordered on file for second reading.

Assembly Bill No. 395—An Act to amend 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 ordered on file for second reading.

Assembly Bill No. 400—An Act to amend Section 456 of the Civil Code, relating to railroads.

Read first time, and ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 558—An Act to amend Section 688 of the Code of Civil Procedure of the State of California, relating to executions

Also: Assembly Bill No. 559—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Also: Assembly Bill No. 87—An Act to amend Section 818 of the Penal Code, relating to warrants issued by magistrates, and their delivery to peace officers, and to repeal Sections 819 and 820 of the Penal Code, relating to the issuance and execution of warrants in a county other than the one in which they were issued.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors do have leave to withdraw the same.

WAYMIRE, Chairman.

Assembly Bill No. 558—An Act to amend Section 688 of the Code of Civil Procedure of the State of California, relating to executions.

Read first time, and ordered on file for second reading.

Assembly Bill No. 559—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Read first time, and ordered on file for second reading.

Assembly Bill No. 87 withdrawn by author.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 55—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 sales, and to direct how the proceeds shall be applied—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WAYMIRE, Chairman.

Senate Bill No. 55 ordered on Senate special file.

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 83—An Act to amend an Act to provide for the appointment, duties, and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions 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, with a substitute therefor, and recommend that such substitute do pass.

SOWARD, Chairman.

By Committee on Mines and Mining: Assembly Bill No. 742—(Substitute for Assembly Bill No. 83)—An Act to amend 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 directions in the discharge of his duties as such commissioner," approved March 24, 1893.

Read first time, and placed on file for second reading.

Mr. Soward moved that the rules be suspended, and that Assembly Bill No. 742 be made special order for Tuesday morning, immediately after reading of the Journal.

So ordered.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 408—An Act to pay the claim of Paris Kilburn, J. B. Fuller, and H. W. Magee, Bank Commissioners of 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.

Also: Assembly Bill No. 646—An Act making an appropriation to pay the claim of James V. Hicks, for expenses incurred in going to New York after A. L. Gibbs, a fugitive from justice—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

GUY, Chairman.

Assembly Bill No. 408—An Act to pay the claim of Paris Kilburn, J. B. Fuller, and H. W. Magee, Bank Commissioners of the State of California, and making an appropriation therefor.

Read first time, and ordered on file for second reading.

Assembly Bill No. 646—An Act making an appropriation to pay the claim of James V. Hicks, for expenses incurred in going to New York after A. L. Gibbs, a fugitive from justice.

Read first time, and ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 266—An Act to provide a relief fund for injured and disabled firemen of the volunteer fire departments within incorporated cities and towns

Also: Assembly Bill No. 493—An Act to provide a relief fund for injured and disabled firemen of the volunteer fire departments within incorporated cities and towns

Have had the same under consideration, and respectfully report the same back, and recommend the adoption of the committee substitute, and that the authors of the above bills be permitted to withdraw the same.

VALENTINE, Chairman.

By Committee on Municipal Corporations: Assembly Bill No. 743 (Substitute for Assembly Bills Nos. 266 and 493)—An Act to amend Section 3342 of the Political Code of the State of California, and to add a new section thereto, to be known as Section 3346 thereof, all relating to volunteer fire departments.

Read first time, and placed on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 63—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to San Francisco Delegation.

KEABLES, Chairman.

So ordered.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 315—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 235, relating to the classification of new counties, and the reclassification of any existing county, where the population of such county shall have been reduced by reason of the creation of any new county from the territory thereof—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

BURNHAM, Chairman.

Assembly Bill No. 315 withdrawn by author.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 387—An Act to amend subdivisions 7, 11, and 15 of Section 1543 of the Political Code, relative to the powers and duties of Superintendents of Schools and Boards of

School Trustees—have had the same under consideration, and respectfully report the same back, and recommend that its author be permitted to withdraw the same.

ROBINSON, Chairman.

Assembly Bill No. 387 withdrawn by author.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No 1—An Act to amend an Act to enable school districts in cities of the fifth class to issue bonds, and to repeal an Act to enable cities of the fifth class to issue bonds for school purposes, approved March 23, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ROBINSON, Chairman.

Ordered on Senate special file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 514—An Act to amend Section 1533 of the Political Code of the State of California, relative to public 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. 394—An Act granting permission to the City of San José to erect a high school building for the City of San José 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 it do not pass.

Also: Assembly Bill No. 641—An Act to amend Sections 1790 and 1791 of the Political Code, relating to City Boards of Examination.

Also: Assembly Bill No. 642—An Act to amend an Act entitled "An Act to enforce the educational rights of children," approved March 28, 1874, relating to the duties of certain officers in connection therewith, by repealing Section 2 of said Act

Also: Assembly Bill No. 643—An Act to amend Sections 1770, 1771, 1772, 1773, 1774, and 1775 of the Political Code, relative to County Boards of Education.

Also: Assembly Bill No. 644—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1599, 1600, 1615, 1617, 1621, 1622, 1623, 1663, 1697, 1713. 1714, 1830, 1874, 1875, and 1882 of the Political Code of the State of California, and to add one new section to said Code, to be known as Section 1674, relating to the public schools.

Also: Assembly Bill No. 550—An Act to amend Section 1885 of the Political Code of the State of California, relating to form of bonds when payable.

Also: Assembly Bill No. 177—An Act to amend Section 1882 of the Political Code of the State of California, relating to the time bonds may be issued for.

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

ROBINSON, Chairman.

Assembly Bill No. 514—An Act to amend Section 1533 of the Political Code of the State of California, relative to public schools.

Read first time, and ordered on file for second reading.

Assembly Bill No. 394—An Act granting permission to the City of San José to erect a high school building, for the City of San José, upon the grounds of the State Normal School at San José.

Read first time, and placed on file for second reading.

Assembly Bill No. 641—An Act to amend Sections 1790 and 1791 of the Political Code, relating to City Boards of Examination.

Read first time, and placed on file for second reading.

Assembly Bill No. 642—An Act to amend an Act entitled "An Act to enforce the educational rights of children," approved March 28, 1874, relating to the duties of certain officers in connection therewith, by repealing Section 2 of said Act.

Read first time, and placed on file for second reading.

Assembly Bill No. 643—An Act to amend Sections 1770, 1771, 1772, 1773, 1774, and 1775 of the Political Code, relative to County Boards of Education.

Read first time, and placed on file for second reading.

Assembly Bill No. 644—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583,

1599, 1600, 1615, 1617, 1621, 1622, 1623, 1663, 1697, 1713, 1714, 1830, 1874, 1875, and 1882 of the Political Code of the State of California, and to add one new section to said Code, to be known as Section 1674, relating to the public schools.

Read first time, and placed on file for second reading.

Assembly Bill No. 177—An Act to amend Section 1882 of the Political Code of the State of California, relating to the time bonds may be issued for.

Read first time, and placed on file for second reading.

Mr. Cross moved that Assembly Bill No. 740 be re-referred to Committee on Corporations.

Lost.

LEAVE OF ABSENCE.

Mr. Canavan moved that the following-named members be granted leave of absence for Monday and Tuesday next: Messrs. Canavan, McGrath, Treacy, Breiling, Kenyon, Rubell, Ennis, Fontana, and Kelly.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 402—An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act—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, without recommendation.

Also: Assembly Bill No. 553—An Act to provide for the survey and construction of a wagon road from Tallac to McKinney's, along the shore of Lake Tahoe, 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, and be referred to the Committee on Ways and Means.

CLARKE, Chairman.

Assembly Bills Nos. 402 and 553 referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 269—An Act to repeal Sections 2652 and 2671 of the Political Code, relating to road poll tax.

Also: Assembly Bill No. 540—An Act prohibiting the use of barbed-wire fence along public highways.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 199—An Act to amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gate.

Also: Assembly Bill No. 385—An Act to amend Section 2643 of the Political Code, relating to the duties of Boards of Supervisors respecting roads.

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

Also: Assembly Bill No. 612—An Act to provide for the construction of a free wagon road from the Mono Lake basin to connect with a road called "Tioga Road," at or near the Tioga Mine—have had the same under consideration, and respectfully report the same back favorably, and recommend that it, as amended, be referred to the Committee on Ways and Means.

CLARKE, Chairman.

Assembly Bill No. 269—An Act to repeal Sections 2652 and 2671 of the Political Code, relating to road poll tax.

Read first time, and placed on file for second reading.

Assembly Bill No. 540—An Act prohibiting the use of barbed-wire fence along public highways.

Read first time, and placed on file for second reading.

Assembly Bill No. 199—An Act to amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gate.

Read first time, and placed on file for second reading.

Assembly Bill No. 385—An Act to amend Section 2643 of the Political Code, relating to the duties of Boards of Supervisors respecting roads.

Read first time, and placed on file for second reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 4th day of February refused second reading to Assembly Bill No. 412—An Act to amend Section 337 of the Code of Civil Procedure.

Also. Assembly Bill No. 414—An Act to amend Section 339 of the Code of Civil Procedure.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Mr. Price moved that Charles Orr, Assistant Clerk, be granted leave of absence until next Monday.

So ordered.

At twelve o'clock and thirty minutes P. M., on motion of Mr. Valentine, the hour of recess was extended five minutes.

INTRODUCTION OF BILLS.

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

By Mr. Dennery: Assembly Bill No. 744—An Act to amend Section 11 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 as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Referred to Committee on Banks and Banking.

By Mr. Valentine: Assembly Bill No. 745—An Act authorizing the Common Council, Board of Trustees, or other governing body of an incorporated city or town, other than cities of the first class, to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same.

Referred to Committee on Municipal Corporations.

By Mr. Dryden: Assembly Bill No. 746—An Act to amend Chapter I, Title X, of the Code of Civil Procedure, relating to actions for the foreclosure of mortgages, by adding thereto another section, known as Section 729, providing for the satisfaction of judgments in foreclosure proceedings.

Referred to Committee on Judiciary.

By Mr. Dolan: Assembly Bill No. 747—An Act to regulate the erection of buildings and structures by the authorities of cities, counties, or cities and counties, and to regulate contracts relating thereto.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 748—An Act to provide for the working, dressing, and carving of stone for public work.

Referred to Committee on Public Works, State Capitol, and Parks.

By Mr. Elliott: Assembly Bill No. 749—An Act to amend an Act

entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 393 thereof, fixing the place of trial of actions against executors, administrators, or guardians.

Referred to Committee on Judiciary.

By Mr. Mulcrevy: Assembly Bill No. 750—An Act for the relief of Joel G. Newbert, and to appropriate money therefor.

Referred to Committee on Claims.

By Mr. Burnham: Assembly Bill No. 751—An Act to amend Title XII, Division 1, Part IV, of the Civil Code, relating to benevolent corporations.

Referred to Committee on Corporations.

Also: Assembly Bill No. 752—An Act to amend Section 416 of the Political Code, relative to fees to be collected by the Secretary of State for services performed in his office.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 753—An Act to amend Section 291 of the Civil Code of California, relative to articles of incorporation.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 754—An Act to amend Section 293 of the Civil Code, relative to articles of incorporation.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 755—An Act to add three new sections to "An Act to establish a Penal Code," approved February 14, 1872, to be numbered 627*e*, 627*f*, and 627*g*, relating to wild birds.

Referred to Committee on Judiciary.

By Mr. Belshaw: Assembly Bill No. 756—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 218 thereof, relating to train-wrecking, and the punishment thereof.

Referred to Committee on Crimes and Penalties.

By Mr. Melick: Assembly Constitutional Amendment No. 32—Proposed amendment to Article I, relating to declaration of rights.

Referred to Committee on Constitutional Amendments.

Also: Assembly Bill No. 757—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 647 thereof, concerning vagrants.

Referred to Committee on Crimes and Penalties.

By Mr. Dibble: Assembly Bill No. 758—An Act to promote the public health, to prohibit acts prejudicial thereto, and to provide for the punishment thereof.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 759—An Act to promote the public health, to prohibit acts prejudicial thereto, and provide for the punishment thereof.

Referred to Committee on Judiciary.

By Mr. Price: Assembly Bill No. 760—An Act to repeal an Act entitled "An Act to amend an Act entitled 'An Act to establish and support a Bureau of Labor Statistics,'" approved March 3, 1883; approved February 8, 1889.

Referred to Committee on Labor and Capital.

By Mr. Lindenberger: Assembly Bill No. 761—An Act to provide for storm-water drainage, and for disposing of storm waste-water within municipalities.

Referred to Committee on Municipal Corporations.

By Mr. Goff: Assembly Bill No. 762—An Act to amend Section 10 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, and as amended by an Act approved January 25, 1895, which said Section 10 relates to and defines the basis of computation for classifying the several counties of the State according to population, and classifying the said counties; and to amend Section 162 thereof, relating to the classification of counties, and to insert a new section therein, to be numbered 173½, creating a class of counties of the eleven-and-a-half class, relating to the government of counties.

Referred to Committee on County and Township Governments.

By Mr. Leavitt: Assembly Bill No. 763—An Act to provide for the appointment of a committee from the members of the Legislature to visit the public institutions of this State, and to report upon their condition, their wants and requirements, and to estimate the amount of money necessary for their support and maintenance, and providing for the payment of such committee.

Referred to Committee on Commissions, Retrenchment, and Public Expenditures.

By Mr. Caminetti: Assembly Bill No. 764—An Act to provide for the construction of county highways in the several counties of the State, and empowering Boards of Supervisors to levy taxes therefor.

Referred to Committee on Roads and Highways.

By Mr. Guy: Assembly Bill No. 765—An Act making an appropriation to pay the claim of A. W. Rapelye against the State of California.

Referred to Committee on Claims.

By Mr. Guy: Assembly Constitutional Amendment No. 33—Proposed amendment to Article IV of the Constitution, relative to sessions of the Legislature.

Referred to Committee on Constitutional Amendments.

By Mr. Shanahan: Assembly Bill No. 766—An Act to add a new Section to the Penal Code of the State of California, to be known as Section 181, relating to communicating with persons confined in the county jail.

Referred to Committee on Crimes and Penalties.

By Mr. Harris: Assembly Bill No. 767—An Act to amend an Act entitled "An Act to prevent the sale of short-weight rolls of butter," approved March 11, 1893.

Referred to Committee on Agriculture.

MOTIONS.

At twelve o'clock and thirty-five minutes, P. M., on motion of Mr. Treacy, the hour of recess was extended five minutes.

On motion of Mr. Dibble, it was ordered that Assembly Bills Nos. 208, 209, 210, 211, 212, 214, 216, 217, 218, 219, 220, 221, 222, 223, 226, 228, 230, 231, 235, 236, 237, 238, 239, 240, 243, and 249 on file of to-day as unfinished business, be made a special order for Monday next at 7:30 P. M., and that the special rule with respect to the consideration of said bills, reported by the Committee on Rules and Regulations, February 2d, and adopted by the House, be continued in force and be made operative on the consideration of said bills.

Mr. Dibble moved that the rules be suspended, and that Assembly Bill No. 622 be made special order for next Monday morning, immediately after reading of the Journal.

So ordered.

RECESS.

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

REASSEMBLED.

The Assembly reassembled at two o'clock and ten minutes P. M.

Speaker Coombs in the chair.

Quorum present.

LEAVE OF ABSENCE.

Mr. McKinley, Assistant Clerk, was granted leave of absence until Monday.

Messrs. Hudson, Belshaw, Keables, and Goodhue were granted leave of absence until Monday.

MOTIONS.

Mr. Sanford moved that the Assembly reconsider the vote whereby the Journal of January 28th was approved.

So ordered.

Mr. Sanford moved that the Journal be corrected, on page 10, next after reference of Assembly Bill No. 614, as follows:

"By Mr. Sanford: Assembly Bill No. 615—An Act to pay the claim of A. J. Bourne against the State of California, and making an appropriation therefor.

"Referred to Committee on Claims."

APPROVAL OF JOURNAL.

The Journal of January 28th was approved.

SPECIAL ORDERS.

Assembly Bill No. 120—An Act to provide additional support and maintenance, and for the acquisition of necessary property and improvements for the University of California, by the levy of a rate of taxation, and the creation of a fund therefor.

Read second time, and ordered engrossed and to third reading.

Mr. Wright moved that Assembly Bill No. 120 be made the special order for Monday, at two o'clock P. M.

So ordered.

SENATE SPECIAL FILE.

Senate Bill No. 135—An Act to prohibit the adulteration of honey, and to provide a punishment therefor.

Read second time, and ordered on file for third reading.

Senate Bill No. 35—An Act entitled "An Act to authorize cities and towns owning public parks outside their limits to lay out, construct, and maintain roads, streets, and boulevards from the boundaries of such cities and towns to, into, and through such parks, and to acquire lands for that purpose."

Read second time, and ordered on file for third reading.

Senate Bill No. 36—An Act to extend the jurisdiction and authority of cities and towns over parks owned by them situated beyond the limits of such cities and towns, and over streets and avenues leading to the same.

Read second time, and ordered on file for third reading.

Senate Bill No. 37—An Act to authorize cities and towns to grant franchises for the construction and maintenance of railroads beyond the limits of such cities or towns, leading to public parks owned thereby.

Read second time, and ordered on file for third reading.

Senate Bill No. 195—An Act to regulate medical practice, to prevent blindness in infants.

Read second time, and ordered on file for third reading.

RESOLUTION.

By Mr. Treacy:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Sub-Committee on Public Buildings and Grounds, instructed by resolution of January 26th to inspect the public institutions in Southern California, having visited those located at Stockton, Los Angeles, Whittier, San Diego, and Highlands, now present account of expenses, as follows:

Sub-committee, consisting of Messrs. Treacy and Ennis, for actual traveling expenses, $60 10 each.

Resolved, That the Controller be and is hereby directed to draw his warrants in favor of S. F Ennis and T. E. Treacy for the sum of $60 10 each, said warrants to be drawn upon the Contingent Fund of the Assembly, and the Treasurer is directed to pay the same.

TREACY,
ENNIS,
Sub-Committee.

On motion of Mr. Treacy, the rules were suspended, and the report of the committee adopted.

JOINT RESOLUTION.

By Mr. Treacy:

ASSEMBLY JOINT RESOLUTION No. 27.

WHEREAS, The seamen of our country are subject to arrest and imprisonment for leaving a vessel before the expiration of the term of service agreed upon; and

WHEREAS, This condition imposes upon our seamen a penal punishment for the violation of a civil contract, and is obviously an infringement of the Thirteenth Amendment to the Constitution of the United States; and

WHEREAS, The House of Representatives, at the first session of the Fifty-fourth Congress, passed Bills Nos. 2663 and 6399, which abolish imprisonment for desertion, besides inaugurating several other much needed reforms on the condition of our seamen; and

WHEREAS, The Committee on Commerce of the United States, through its Chairman, Senator Frye, has at the present session of Congress introduced substitutes for House Bills Nos. 2663 and 6399, which not only reaffirm the law of imprisonment for desertion, but also reenact a number of primitive measures which had previously been repealed; and

WHEREAS, Senator Frye has intimated that unless the United States Senate will accept his substitutes without amendment he will allow the entire matter to die in committee; therefore, be it

Resolved, That we condemn the principle of imprisonment for desertion among our seamen as unjust to them, unnecessary to commerce, and repugnant to our sense of American liberty; and, moreover, in view of the recent decision of the United States Supreme Court in the Arago case, we deem such law a menace to the personal rights of every other class of workers; and further

Resolved, That we urge the United States Senate to recall House Bills Nos 2663 and 6399 from the Committee on Commerce, and to pass upon them as sent from the House of Representatives; and further

Resolved, That we commend the action of the representatives of California in Congress in their efforts to improve the condition of our seamen and of our merchant marine; and further

Resolved, That a copy of these resolutions be immediately forwarded to our representatives in Congress, to the President of the United States Senate, and to Senator Frye, Chairman of the Committee on Commerce of the United States Senate.

Referred to Committee on Federal Relations.

THIRD-READING FILE.

Assembly Bill No. 418—An Act to amend Section 407 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Damon, Dennery, Dibble, Dryden, Elliott, Fontana, Gately, Godfrey, Goff, Goodhue, Hill, Houghton, Hudson, Jones, Keegan, Lacy, Landsborough, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Robinson, Rubell, Ryan, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, and Mr. Speaker—55.

NOES—None.

Title read and approved.

REPORT OF SPECIAL COMMITTEE ON INQUIRY—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your special committee, to whom was referred the resolution directing inquiry into number of attachés, and how many are needed, beg leave to submit the following as a partial report:

We recommend the discharge of six Porters, two Watchmen, one Gatekeeper, and two Ushers.

COOMBS, Chairman.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 22—An Act to amend Section 5 of 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. Aldridge, Allen, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Elliott, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Harris, Hill, Houghton, Hudson, Jones, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Yolo, Power of Placer, Robinson, Rubell, Ryan, Shanahan, Soward, Toland, Treacy, Vosburg, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Assembly Bill No. 454—An Act to amend Section 1 of an Act entitled "An Act for the further protection of stockholders in mining companies," approved April 23, 1880.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Bettman, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cutter, Damon, Dennery, Dolan, Dryden, Elliott, Gately, Godfrey, Goodhue, Harris, Hill, Houghton, Hudson, Jones, Keegan, Lacy, Landsborough, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Yolo, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Sims, Shanahan, Soward, Toland, Treacy, Vosburg, and Mr. Speaker—53.

NOES—Mr. Cross—1.

Title read and approved.

Assembly Bill No. 80—An Act to provide for the employment of citizens of the United States upon public works within this State.

Passed on file.

Assembly Bill No. 49—An Act to provide for a lunch hour for employés.

Passed on file.

Assembly Bill No. 40—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 passed by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Bettman, Breiling, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Cross, Dennery, Dolan, Elliott, Foreman, Gately, Godfrey, Goff, Goodhue, Hill, Houghton, Hudson, Jones, Keegan, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McLaurin, North of Alameda, Power of Placer, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Toland, Treacy, Vosburg, and Mr. Speaker—49.

NOES—Mr. Dryden—1.

Title read and approved.

Assembly Bill No. 68—An Act to amend "An Act to establish the fees of county, township, and other officers, and of jurors and witnesses, in this State," relating to fees to be paid County Clerks.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Foreman, Godfrey, Goff, Goodhue, Hill, Jones, Keegan, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, North of Alameda, North of Yolo, Power of Placer, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Toland, Treacy, Vosburg, Waymire, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Bill No. 18—An Act to amend clause 37, Section 25, County Government Act.

Passed on file.

Assembly Bill No. 57—An Act to amend Section 792 of the Political Code, so as to prohibit a county officer, or his deputy, from being a notary public.

Passed on file.

Assembly Bill No. 150—An Act to define the duties and liabilities of employment agents.

Passed on file.

Assembly Bill No. 6—An Act authorizing the appointment of an interpreter of the Japanese language in criminal proceedings in cities, and cities and counties, of one hundred thousand inhabitants and over.

Mr. Dibble, the author, was allowed to withdraw Assembly Bill No. 6.

Assembly Bill No. 139—An Act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof.

Read third time.

The question being on the final passage.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Bettman, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Gately, Godfrey, Goff, Harris, Hill, Jones, Keegan, Lacy, Landsborough, Mahoney,

Malcolm, Mead, Melick, Mulcrevy, McCandlish, North of Alameda, North of Yolo, Pohlman, Power of Placer, Robinson, Ryan, Sims, Soward, Strain, Toland, Treacy, Waymire, Wright, and Mr. Speaker—46.

NOES—Messrs. Anderson, Belshaw, Boone, Breiling, Bridgford, Canavan, Foreman, Houghton, Hudson, Lindenberger, McClellan, and Rubell—12.

Title read and approved.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read first time, and referred to committee, as follows:

By Mr. Power, of Placer: Assembly Bill No. 768—An Act to authorize the Governor to appoint and commission agents to collect and receive certain claims due the State of California from the United States; to provide compensation for such service, and to distribute the moneys recovered on such claims.

Read first time, and referred to Committee on Claims.

LEAVE OF ABSENCE.

Mr. Power, of Placer, was granted leave of absence until Monday.

Mr. Waymire, Chairman of the Special Committee of Investigation, was granted unanimous consent to submit a report (out of order), with request that the same be published in the Journal.

So ordered.

REPORT OF SPECIAL COMMITTEE OF INVESTIGATION—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, ———, 1897.

MR. SPEAKER: The special committee appointed to investigate the temporary organization of the Assembly have performed that duty, and herewith submit their report:

The amended resolution authorizing the investigation is as follows:

"WHEREAS, Charges of a serious nature have been made relative to frauds said to have been practiced during the temporary organization of this Assembly; and

"WHEREAS, The Chief Clerk of the Assembly, S. J. Duckworth, is charged with complicity therein, and he denies said charges; therefore, be it

"*Resolved*, That a special committee of seven be named by the Speaker of this Assembly to investigate all of said charges relative to the organization of this House, and to report its findings to this House. Said committee shall have full power to subpœna witnesses, administer oaths, take testimony, and such other powers as shall be necessary for the full performance of their duties."

Under this resolution the power of the committee is restricted to reporting its findings. This we understand includes the power to express an opinion, but does not include the power to make recommendations.

The resolution was adopted January 26, 1897, and the committee began its work the same day. Mr. Chynoweth, of the Assembly, has kindly attended all our sessions, and given valuable assistance, in the examination of witnesses. Mr. Duckworth was represented by counsel, and the committee has heard the testimony of all witnesses whose presence was deemed important. The reporters' transcript of the testimony and the exhibits are submitted herewith, and are referred to for information as to details.

The only statute concerning the attachés who must be present at the organization of the Assembly is Section 237 of the Political Code, which is as follows:

"The Secretary of the Senate, the Minute Clerk, and Sergeant-at-Arms of each house for any session, must, at the next succeeding session of the body, perform the duties of their offices until their successors are elected and qualified."

It is evidently the intention of this law that only the Chief Clerk of the Assembly, the Minute Clerk, and the Sergeant-at-Arms of the Assembly should hold over from one session to another. They are required to attend, and are, therefore, entitled to mileage. No other attachés have any claim to mileage. It is also clear that the law contemplates that these officers should ordinarily be sufficient to organize the Assembly. It does not, however, expressly prohibit the employment of other attachés, and it has been the custom of the Assembly for many years to employ additional help. The number so employed has increased each session, until the rolls for 1893 show a total of twenty-eight, and those of 1895 show forty-nine. A careful inquiry as to the actual work to be done at the organization of the Assembly convinces us that the following would be an ample force: A Chief Clerk, Chaplain, Minute Clerk, Sergeant-at-Arms, one Assistant Sergeant-at-Arms,

Postmistress, Mail Carrier, three Gatekeepers, and five Pages—fifteen in all. Their total per diem should not exceed $74. We find that at the organization of the present Assembly the Chief Clerk appointed attachés as follows:

Assistant Clerks	10
Assistant Minute Clerks	6
Assistant Sergeants-at-Arms	6
Clerk to Sergeant-at-Arms	1
Journal Clerk	1
Assistant Journal Clerks	4
Engrossing Clerk	1
Assistant Engrossing Clerks	6
Enrolling Clerk	1
Assistant Enrolling Clerks	5
Postmistress	1
Assistant Postmistress	1
History Clerk	1
Assistant History Clerks	3
Porters	17
Bookkeeper to Sergeant-at-Arms	1
Bill Clerks	6
File Clerks	6
Chaplain	1
Mail Carrier	1
Janitress	1
Doorkeepers	6
Watchmen	6
Pages	12
Elevator Attendants	2
Messenger to State Printer	1
Electrician	1
Gatekeepers	2
Position not designated (Ella Bateman)	1
Total	112

The total amount allowed for per diem was $3.961 30, and for mileage, other than to statutory officers, $303 80. Total, $4,265 10. As already stated, we find that fifteen attachés—twelve in addition to the three statutory officers—would have been ample, and the aggregate of the per diem that should have been allowed at this session is $74. This includes the $24 of per diem to the Chief Clerk, Sergeant-at-Arms, and Minute Clerk. For the necessary additional attachés $50 was sufficient and all that should have been paid. We find, therefore, that $4,215 10 has been paid out in excess of the sum actually necessary.

None of the attachés should be paid for more time than they serve. It has been the custom to allow per diem for an entire week, on the plea that the attachés come to the Capital at a sacrifice of time which makes it proper. There is no justice in this claim. The statute only requires three officers to attend, and there is sufficient compensation to them for the time occupied in coming and going, in the mileage allowed by law, which always exceeds the actual traveling expenses. The other attachés are not required to attend, and if they do so voluntarily they have no right to ask pay for extra time. As a matter of fact, they usually come to seek reemployment.

In this connection we must say that the Committee on Mileage, in our opinion, were grossly negligent, not only in recommending mileage, but also in recommending the payment of a full week's pay to all the attachés It was their duty to diligently inquire into all the facts, as their report was designed to guide the Assembly. Had they made proper inquiry of any experienced member, they would at once have discovered the illegality of the surplus appointments, and would have prevented the evil consequences resulting.

We feel it our duty, also, to say that all the members of the Assembly who voted for the adoption of the report of that committee are censurable for their negligence. Had they given the matter the proper attention, they would have learned that the report was wrong, and that the payments recommended were without any justification whatever, in so far as the excessive appointments were concerned It is apparent that those who had previously served in the Legislature are more to blame than those who were just entering upon their first experience. The testimony shows that a portion of the attachés were appointed with the knowledge and at the request of the members as follows:

Frank Barnett, by Mr. Leavitt, J. L. Oliver, by Mr Wright; H A. Jackson and I. Erb, by Mr. Kelly; Ben Martin, by Mr. Caminetti; James Devitt, M Aronson, J. Wintringer, and C. Ewing, by Mr. Henry; J C. Gross (at request of Mr. Cross), by Mr. Vosburg; James Bowen and S. H. Wilson, by Mr Breiling; Donald Bruce, by Mr Dibble; W. J. Keating, by H. H. North; John Wise, by Mr. J. W. Power; R. M. Richardson and Mrs. W. Sampson, by Mr. Valentine; W. H. Rice (at request of Mr. Bettman), by Mr. Harris; T. Smith, by Mr. Dolan; W. S. Kingsbury, by Mr. Kenyon; F. C. Smyth, by Mr. Chynoweth; A. H. Smith, by Mr. Belshaw; A. S. Vischer, by Mr. Jones; N. G. Duckworth, by

Mr. Treacy; George North, by A. W. North; W. Levinson and E Sheridan, by Mr. Dennery; W. Bullock, W. Hopkins, and W. S Staley, by Mr. Price; J. Brooks, by Mr. Bettman; Charles Forbes, by Senator Voorheis; Ray Byron, by Mr. Arnerich.

Mr. Jones admitted that in the case of J. P. Devine, A. A. Friedlander, S. Voorsanger, and R. Blakeston, he authorized them to use his name.

We think the members who requested appointments, or lent their names to justify them, are specially deserving of censure. Yet it is to be said in their defense that they had a right to make requests for appointments, knowing that some should be made, and that they had a right to presume the Chief Clerk would do his duty and make no more appointments than were actually necessary for the public service. With much more force it may be said in defense of all the members that they were occupied largely in the consideration of the Senatorial contest, and in the examination of the numerous and voluminous printed reports of public officers preparatory to the commencement of their legislative labors. While thus occupied they had a right to trust the Chief Clerk to attend to the details of the organization. He had nothing to do but to organize the House. His mind was free from other cares. He had been a member of the Legislature, and had served as Chief Clerk at the last session. It was fair to presume that he was familiar with the duties of his office, and would honestly perform them.

We are of the opinion, and so find, that the Chief Clerk deliberately and intentionally appointed the aforesaid unnecessary attachés. He offers no excuse for his conduct, except the desire to reward the persons appointed for their political services. He has even declared to representatives of the press that if the law is not changed, he will, at the next session of the Legislature, pursue the same course, even to the extent of exhausting the Contingent Fund of the Assembly, by appointing, if requisite for that purpose, a thousand attachés.

This is the unfortunate culmination of a bad practice, which has increased session after session, in consequence of the importunities of people who come to look upon politics as a trade—a means of gaining a living. They seem to forget that the members of the Legislature are but the people themselves, assembled in their representative capacity—assembled for the purpose solely of legislating for the common good of the whole State. They disregard the fact that representatives are trustees, and have no right to expend one dollar of the public funds without a fair equivalent in service or material; that every dollar paid out from the public treasury for an unnecessary servant is money deliberately perverted in violation of a sacred trust. They work for their party, it is true, but should, if they are good citizens, do so because they believe that the success of their party is necessary to good government, in which they, as well as others, are concerned. In other words, they work for themselves when they work for their party.

The Chief Clerk is a man of unusual intelligence, and no one understands better than he how indefensible is his conduct. We are happy to say that the evidence does not disclose any attempt on his part to profit financially by his appointments; but this fact by no means justifies his conduct. By the unnecessary appointments he has made he has enabled others to abstract from the public treasury a large sum of money which it will be difficult, if not impossible, to recover. His example, if unrebuked, would be imitated by others in the future, and this disgraceful abuse, instead of being stopped at once and forever, as it should be, will go on increasing until its evil effects are felt in other departments of the public service. It is not necessary to multiply words in condemnation of his action. While we believe a complete remedy will require legislation, either in amendment to the statute or of the Constitution, or both, we think also that it is necessary that the one who, by showing himself unworthy of the trust reposed in him, has brought about this unfortunate state of affairs, should be made to suffer. As we have already stated, we find no authority in the resolution under which we are acting to authorize us to recommend any specific punishment, and we must leave that to the judgment of the House. We are also of the opinion that steps should be taken to recover from the attachés now in the service all the mileage paid them, and we specially call the attention of the House to the case of Mr. Hocking, to whom has been paid the sum of $117 60 for mileage. He is now acting in the capacity of Bookkeeper to the Sergeant-at-Arms

Respectfully submitted.

WAYMIRE, Chairman.
EMMONS.
KENYON.
STANSELL.
BOONE
STRAIN.

MOTIONS.

Mr. Dibble moved that the consideration of the report of special committee be made special order for Monday morning, immediately after reading of the Journal.

Mr. Cutter moved to amend, and make special order for Monday, at two o'clock P. M.

Mr. Dibble accepted the amendment.

Mr. Dennery moved to amend, and make the same special order for Tuesday morning.

Mr. Bettman moved, as a substitute for all pending amendments, that the report be made special order for Wednesday at two o'clock P. M.

So ordered.

RESOLUTIONS.

By Mr. Waymire:

Resolved, That all the attachés to whom mileage has been paid, except the Chief Clerk, Sergeant-at-Arms, and Minute Clerk, be and they are hereby required to refund to the Sergeant-at-Arms the sums received by them as mileage, and that the Sergeant-at-Arms be and he is hereby directed to return said sum to the Contingent Fund of the Assembly.

Ordered printed in Journal, and made special order for Wednesday morning, immediately after reading of the Journal.

Also:

WHEREAS, The committee heretofore appointed by this Assembly to investigate the irregularities attending the temporary organization of the Assembly have, after a patient consideration of all the facts, found that one hundred attachés in excess of those actually required were appointed to assist in the temporary organization, thereby leading to an unnecessary expenditure of $4,215 80; and

WHEREAS, The said committee has also found that the said attachés were deliberately and intentionally appointed by the Chief Clerk, with the knowledge that they were not necessary, and for the avowed purpose of rewarding the persons so appointed for party services; and

WHEREAS, The said committee has further found that the Chief Clerk has declared that, unless the law shall be changed, he will, at the next session of the Legislature, appoint enough attachés at the temporary organization to exhaust the Contingent Fund of the Assembly, even if for that purpose it be necessary to appoint a thousand attachés; now therefore, be it

Resolved, That in the opinion of the Assembly S. J. Duckworth, Chief Clerk of the Assembly, is guilty of a violation of the trust reposed in him; that it is unwise to continue him in office, and that he is hereby removed from office from and after the passage of this resolution.

Ordered printed in the Journal, and made special order for Wednesday morning, immediately after reading the Journal.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 268—An Act to provide for the annual salaries of the Judges of the Superior Court of the City and County of San Francisco.

Mr. Dibble moved that the bill be passed on file.

Lost.

Mr. Bridgford moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 1, line 2, the word "six," and inserting the following: "five."

Lost.

Mr. Dibble moved to reconsider the vote whereby the motion of Mr. Bridgford to appoint a select committee of one to amend Assembly Bill No. 268 was lost.

Lost.

Mr. Canavan moved that a select committee of one be appointed by the Speaker to make the following amendment:

To strike out the words "six thousand," and insert "five thousand five hundred."

Lost.

Mr. Dibble moved that Assembly Bill No. 268 be made the special order for next Monday.

The ayes and noes were demanded by Messrs. Dibble, Mahoney, and Kelly.

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

AYES—Messrs. Allen, Burnett, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Dibble, Dolan, Emmons, Gately, Godfrey, Goodhue, Harris, Kenyon, Lacy, Landsborough, Mahoney, Mulcrevy, McCandlish, McGrath, Pohlman, Power of San Francisco, Rubell, Ryan, Shanahan, Stansell, and Treacy—28.

NOES—Messrs Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Cross, Cutter, Damon, Dennery, Dryden, Elliott, Ennis, Fontana, Foreman, Goff, Hill, Houghton, Hudson, Keegan, Lindenberger, Malcolm, Melick, McClellan, North of Alameda, North of Yolo, Price, Robinson, Sanford, Sims, Soward, Toland, Vosburg, and Waymire—38.

At four o'clock and fifty-five minutes P. M., Mr. Dibble moved that the Assembly do now adjourn.

Lost.

PREVIOUS QUESTION.

Messrs. Cutter, North of Alameda, and Cross moved the previous question.

The question being, "Shall the main question be now put?"

So ordered.

Mr. Dibble moved a call of the House.

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. Allen, Austin, Burnett, Caminetti, Canavan, Clarke, Dolan, Emmons, Gately, Goodhue, Kenyon, Lacy, Mahoney, Mulcrevy, McCandlish, McGrath, Soward, and Treacy—18.

NOES—Messrs Aldridge, Anderson, Belshaw, Bettman, Boone, Bridgford, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Fontana, Foreman, Godfrey, Goff, Harris, Hill, Houghton, Hudson, Keegan, Landsborough, Leavitt, Lindenberger, Malcolm, Melick, McClellan, North of Alameda, North of Yolo, Power of San Francisco, Price, Robinson, Rubell, Sanford, Sims, Stansell, Strain, Toland, Waymire, and Mr. Speaker—42.

NOTICE OF RECONSIDERATION.

Mr. Dibble gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 268 was refused final passage.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Contested Elections, having had under consideration the case of Hoey vs. Power, find the sitting member, John W. Power, is entitled to his seat, and offer the following resolution:

Resolved, That the contest of Hoey vs Power be and same is hereby dismissed.

KENYON, Chairman.

Mr. Dennery moved to make the report of Committee on Contested Elections the special order for Monday.

Lost.

The report of the Committee on Contested Elections was adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Soward: Assembly Bill No. 769—An Act to amend Section 1159 of an Act entitled "An Act to establish a Civil Code," approved

March 21, 1872, relative to recording of certain instruments and validating records heretofore made.

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

By Mr. Caminetti: Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution, in relation to sessions of the Legislature.

Read and referred to Committee on Constitutional Amendments.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed, viz.: Assembly Bill No. 45—An Act requiring every corporation doing business in this State to pay their employés, and each of them, at least once in each and every month, the wages earned by such employés; 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-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 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.

AUSTIN, Chairman.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Austin, and Mr. North of Alameda, until next Monday.

ADJOURNMENT.

At four o'clock and ten minutes P. M., on motion of Mr. North, of Alameda, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 6, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Godfrey, Goff, Guy, Henry, Hill, Houghton, Jones, Keegan, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McLaurin, North of Yolo, Poblman, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Vosburg, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

LEAVE OF ABSENCE.

Messrs. Waymire, Mulcrevy, Harris, Bettman, Wright, Ennis, Kelly, Valentine, Fontana, and Arnerich were granted leave of absence for the day.

Mr. Toland was excused for absence last Tuesday.

Mr. Soward was granted leave of absence for next Monday.

Miss Goodhue, History Clerk, was granted leave of absence for the day.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Thursday, February 4th, was approved.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly reengrossed, viz.: Assembly Bill No. 452—An Act to repeal Sections 626*a*, 626*b*, 626*c*, 626*d*, 626*e*, 626*f*, 626*g*, 626*h*, 626*i*, 627*a*, 627*b*, and 627*d*, and to amend Sections 626 and 627 of the Penal Code of the State of California, relating to game.

Also: Assembly Bill No. 23—An Act entitled an Act to amend Section 1575 of the Code of Civil Procedure.

AUSTIN, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 657—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—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BURNHAM, Chairman.

Assembly Bill No. 657—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 placed on file for second reading.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 656—An Act providing for the furnishing to Sheriffs and Chiefs of Police of certain information, descriptions, and photographs of convicts about to be discharged, by the Wardens of State Prisons—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

H. T. POWER, Chairman.

Assembly Bill No. 656—An Act providing for the furnishing to Sheriffs and Chiefs of Police of certain information, descriptions, and photographs of convicts about to be discharged, by the Wardens of State Prisons.

Read first time, and placed on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER. Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 449—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885, and to add four new sections thereto, all relating to the State Board of Dental Examiners, and regulating the practice of dentistry in this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

KEABLES, Chairman.

Assembly Bill No. 449 ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred the petition of residents and taxpayers of San Diego County against the repeal of the Wright Irrigation Act—have had the same under consideration, and respectfully report the same back, and recommend that it be placed in archives.

LINDENBERGER, Chairman.

So ordered.

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Senate Bill No. 128—An Act to amend Section 1723 of the Code of Civil Procedure, relating to the disposition of life estates or homestead or community property on owner's death in certain cases.

Also: Senate Bill No. 129—An Act to amend Section 164 of the Civil Code, relating to conveyances of real property by married women, and limiting the time in which to commence actions for recovery of community property by husbands.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Judiciary.

DIBBLE, Chairman.

Senate Bills Nos. 128 and 129 re-referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Assembly Bill No. 148—An Act to add a new section to the Civil Code, to be known as Section 2949, relating to the sale and redemption of property sold under power of mortgages and trust deeds—have had the same under consideration, and respectfully report a substitute therefor, and recommend that it do pass.

DIBBLE, Chairman.

By Committee on Revision of Codes and Statutes: Assembly Bill No. 770 (Substitute for Assembly Bill No. 148)—An Act to add a new section to the Civil Code, to be known as Section 2949 thereof, relating to the sale and redemption of property sold under power of mortgages and trust deeds.

Read first time, and placed on file for second reading.

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No. 590—An Act to amend Section 3493 of the Political Code of the State of California, relating to the dissolution of swamp land or reclamation districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

A. W. NORTH, Chairman.

Assembly Bill No. 590—An Act to amend Section 3493 of the Political Code of the State of California, relating to the dissolution of swamp land or reclamation districts.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No 591—An Act to amend Section 3472 of the Political Code of the State of California, relating to the formation of swamp land or reclamation districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

A. W. NORTH, Chairman.

Assembly Bill No. 591—An Act to amend Section 3472 of the Political Code of the State of California, relating to the formation of swamp land or reclamation districts.

Read first time, and placed on file for second reading.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bills Nos. 108 and 110—have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Ways and Means.

MALCOLM, Chairman.

Assembly Bills Nos. 108 and 110 ordered referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bills Nos. 525 and 526—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

MALCOLM, Chairman.

Withdrawn by author.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 524—An Act to provide for the fencing of the farm property, the further equipment of the farm, etc., at the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Also: Assembly Bill No. 527—An Act entitled "An Act to provide additional buildings for the California Home for the Care and Training of Feeble-Minded Children, to equip the same for occupancy and use, to provide a system of electric lighting therein, and making an appropriation therefor."

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

MALCOLM, Chairman.

Assembly Bills Nos. 524 and 527 referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 65—An Act establishing a State Normal School in San Diego County, California, and making an appropriation of $75,000 therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

GUY, Chairman.

Assembly Bill No. 65—An Act establishing a State Normal School in San Diego County, California, and making an appropriation of $75,000 therefor.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 242—An Act making an appropriation to pay the claim of R. L. Peeler, for expenses incurred in attending the funeral of the late General Dimond.

Also: Assembly Bill No. 250—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant-Governor Millard.

Also: Assembly Bill No. 262—An Act making an appropriation to pay the claim of George E. Lawrence, for services rendered the State of California at the funeral of the late Lieutenant-Governor Millard.

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

GUY, Chairman.

Assembly Bill No. 242—An Act making an appropriation to pay the claim of R. L. Peeler for expenses incurred in attending the funeral of the late General Dimond.

Read first time, and placed on file for second reading.

Assembly Bill No. 250—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant-Governor Millard.

Read first time, and placed on file for second reading.

Assembly Bill No. 262—An Act making an appropriation to pay the claim of George E. Lawrence, for services rendered the State of California at the funeral of the late Lieutenant-Governor Millard.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 535—An Act making an appropriation to pay the deficiency in the appropriation for office rent of Attorney-General in San Francisco, for the forty-eighth fiscal year

Also: Assembly Bill No. 534—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-seventh fiscal year.

Also: Assembly Bill No. 533—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-eighth fiscal year.

Also: Assembly Bill No. 288—An Act making an appropriation to pay the deficiency in the appropriation for "repairs to the Capitol building and furniture, etc."

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

GUY, Chairman.

Assembly Bill No. 533—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-eighth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 534—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-seventh fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 535—An Act making an appropriation to pay the deficiency in the appropriation for office rent of the Attorney-General in San Francisco for the forty-eighth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 288—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building and furniture, etc.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER. Your Committee on Ways and Means, to whom was referred Assembly Bill No. 296—An Act to appropriate the sum of $295 85, to pay the claim of Tribune Printing Company against the State.

Also: Assembly Bill No 510—An Act to improve Salt River, Humboldt County, from the junction thereof with Eel River to Port Kenyon, by removing therefrom bars

and other obstructions to navigation, and to appropriate the sum of $10,000 for that purpose.

Also: Assembly Bill No 244—An Act making an appropriation to pay the claim of the Examiner, for advertising the constitutional amendments.

Also: Assembly Bill No 247—An Act making an appropriation to pay the claim of the Daily Report Publishing Company, for advertising the constitutional amendments.

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

GUY, Chairman.

Assembly Bill No. 296—An Act to appropriate the sum of $295 85, to pay the claim of the Tribune Printing Company against the State.

Read first time, and placed on file for second reading.

Assembly Bill No. 510—An Act to improve Salt River, Humboldt County, from the junction thereof with Eel River to Port Kenyon, by removing therefrom bars and other obstructions to navigation, and to appropriate the sum of $10,000 for that purpose.

Read first time, and placed on file for second reading.

Assembly Bill No. 244—An Act making an appropriation to pay the claim of the Examiner, for advertising the constitutional amendments.

Read first time, and placed on file for second reading.

Assembly Bill No. 247—An Act making an appropriation to pay the claim of the Daily Report Publishing Company, for advertising the constitutional amendments.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 502—An Act for the relief of W. C. Guirey.

Also: Assembly Bill No. 215—An Act making an appropriation to pay the claims of C. E. Cunningham and W. C. Rodgers, for services as elevator attendants in the Capitol building.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

GUY, Chairman.

Assembly Bill No. 502—An Act for the relief of W. C. Guirey.

Read first time, and placed on file for second reading.

Assembly Bill No. 215—An Act making an appropriation to pay the claims of C. E. Cunningham and W. C. Rodgers, for services as elevator attendants in the Capitol building.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 410—An Act to provide for the payment of claims against the State of California arising under an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and making an appropriation therefor.

Also: Assembly Bill No. 318—An Act making an appropriation to pay the claim of John F. Kidder, for traveling expenses, from August 15, 1893, to December 21, 1896, inclusive.

Also: Assembly Bill No. 388—An Act to provide for the purchase or construction 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 they do not pass.

GUY, Chairman

Assembly Bill No. 410—An Act to provide for the payment of claims against the State of California arising under an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 318—An Act making an appropriation to pay the claim of John F. Kidder, for traveling expenses from August 15, 1893, to December 21, 1895.

Read first time, and placed on file for second reading.

Assembly Bill No. 388—An Act to provide for the purchase or construction of a residence for the Governor of California, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 154—An Act to pay the claim of Geo A. Sturtevant for services rendered as District Attorney of Mendocino County in foreclosing certificates of purchase of State school lands, and appropriating money to pay the same—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

GUY, Chairman.

Withdrawn by author.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly resolution introduced by Mr. Sanford—have had the same under consideration, and respectfully report the same back, with the recommendation that it be referred to the Committee on Commissions, Retrenchment, and Public Expenditures.

GUY, Chairman.

Report adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 16—An Act to appropriate $125,000 for the erection of buildings for the use of affiliated and other departments of the University of California, in San Francisco.

Also: Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Also: Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

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

GUY, Chairman.

Senate Bills Nos. 16, 344, and 345 ordered on Senate special file.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 393—An Act authorizing the Treasurer to transfer to the San Francisco Harbor Improvement Fund moneys now in the San Francisco Depot Sinking Fund and San Francisco Depot Fund.

Also: Assembly Bill No. 472—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the harbor of San Francisco southward from its present southerly terminus near the foot of Mission Street on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon; and to provide for the submission of this Act to a vote of the people.

Also: Assembly Bill No. 577—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 respectfully report the same back, and recommend that they do pass.

POHLMAN, Chairman.

Assembly Bill No. 393—An Act authorizing the Treasurer to transfer to the San Francisco Harbor Improvement Fund moneys now in the San Francisco Depot Sinking Fund and San Francisco Depot Fund.

Read first time, and placed on file for second reading.

Assembly Bill No. 472—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, southward from its present southerly terminus, near the foot of Mission Street, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people.

Read first time, and placed on file for second reading.

Assembly Bill No. 577—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the western 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 placed on file for second reading.

At ten o'clock and twenty-five minutes A. M., the Speaker called Mr. Clarke to the chair.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 5, 1897.

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

Senate Bill No. 70—An Act to provide for the employment of citizens of the United States upon public works within this State.

Also: Senate Bill No. 33—An Act for the certification of land titles and the simplification of the transfer of real estate.

Also: Senate Bill No. 62—An Act amending Section 3245 of the Political Code, relating to labor.

Also: Senate Bill No. 28—An Act to add a new section to the Political Code, to be known and designated as Section 1889½, relating to the authorization and employment of a specialist in sociological education in counties, and cities and counties, and providing for the duties and execution of the work of such specialist.

Also: Senate Bill No. 268—An Act to amend an Act entitled "An Act to amend Section 7 of the Civil Code of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

Also: Senate Bill No. 269—An Act to amend an Act entitled "An Act to amend Sections 10 and 134 of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

Also: Senate Bill No 270—An Act to amend an Act entitled "An Act to amend Section 10 of the Political Code of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 70—An Act to provide for the employment of citizens of the United States upon public works within this State.

Read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 33—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.

Senate Bill No. 62—An Act amending Section 3245 of the Political Code, relative to labor.

Read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 28—An Act to add a new section to the Political Code, to be known and designated as Section 1889½, relating to the authorization and employment of a specialist in sociological education in counties, and cities and counties, and providing for the duties and execution of the work of such specialist.

Read first time, and placed on Senate special file for second reading.

Senate Bill No. 268—An Act to amend an Act entitled "An Act to amend Section 7 of the Civil Code of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

Read first time, and referred to Committee on Revision of Codes and Statutes.

Senate Bill No. 269—An Act to amend an Act entitled "An Act to amend Sections 10 and 134 of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

Read first time, and referred to Committee on Revision of Codes and Statutes.

Senate Bill No. 270—An Act to amend an Act entitled "An Act to amend Section 10 of the Political Code of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

Read first time, and referred to Committee on Revision of Codes and Statutes.

INTRODUCTION OF BILLS.

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

By Mr. Mahoney: Assembly Bill No. 771—An Act to authorize municipalities to accept donations of and to set apart portions of public streets or parks for statues, monuments, and fountains.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 772—An Act to amend Section 1056 of the Code of Civil Procedure of California, relating to sureties upon bonds and undertakings.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 773—An Act to amend Section 955 of the Political Code of the State of California, relating to sureties upon bonds and undertakings.

Read first time, and referred to Committee on Revision of Codes and Statutes.

Also: Assembly Bill No. 774—An Act to amend Section 70 of "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. Kenyon: Assembly Bill No. 775—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 disorganization of irrigation districts, the discharge of their indebtedness, and the dis-

tribution of their property, in accordance with agreements between the creditors of the districts and property owners therein.

Read first time, and referred to Committee on Irrigation.

By Mr. Cartwright: Assembly Bill No. 776—An Act to amend Section 2 of an Act entitled "An Act to create the County of Madera, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county," approved March 11, 1893.

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

By Mr. Gately: Assembly Bill No. 777—An Act to amend Sections 3845, 3846, 3851, 3853, 3854, 3857, 3858, and 3862 of the Political Code of the State of California, relating to poll tax and the collection thereof.

Read first time, and referred to Committee on Revision of Codes and Statutes.

By Mr. Shanahan: Assembly Bill No. 778—An Act to amend an Act entitled "An Act to provide for incorporation, operation, and management of coöperative associations," approved March 27, 1895.

Read first time, and referred to Committee on Judiciary.

By Mr. McCandlish: Assembly Bill No. 779—An Act to amend Section 1094 of the Political Code, relating to the registration of electors.

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

RESOLUTION.

By Mr. Pohlman:

Resolved, That the Committee on Commerce and Navigation be granted a leave of absence for Monday next to visit San Francisco and inspect the construction of the proposed improvements of the Board of State Harbor Commissioners, and that they be allowed their mileage only.

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 693—An Act to amend 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—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Municipal Corporations

CUTTER, Chairman.

Assembly Bill No. 693 referred to Committee on Municipal Corporations.

Mr. Dibble moved that the order of business be suspended, and that the House proceed to take up second-reading file.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 196—An Act: Be it enacted by the Assembly, in session, 1897, the Senate concurring, that the following Act be added to the road law of California, to be numbered Section 2737½, Article VIII.

Passed on file.

Assembly Bill No. 199—An Act to amend Section 516 of the Civil

Code of the State of California, relative to rates of toll to be posted at gate.

Passed on file.

Assembly Bill No. 607—An Act to amend Section 1670 of the Political Code.

The following amendment was submitted by Mr. North, of Yolo:

Amend Section 1670, page 8, line 251, by inserting after the word "shall" the following: "make arrangements for another lease for a further period of three years, or they shall."

Adopted.

Ordered to printer, engrossment, and third reading, to retain its place on file.

Assembly Bill No. 308—An Act to establish as public schools technical schools endowed by private gift, coming within certain requirements, and to encourage such endowments.

Passed, to retain its place on file.

Assembly Bill No. 449—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885, and to add four new sections thereto, all relating to the State Board of Dental Examiners, and regulating the practice of dentistry in this State.

Read second time.

The following amendments were submitted:

By the committee:

AMENDMENT No. 1.

Amend by striking out of Section 2, line 19, printed bill, the words "of office of," and inserting the following word: "for."

Adopted.

AMENDMENT No. 2.

Amend Section 2, line 26, by inserting the following: "two for the term of two years."

Adopted.

AMENDMENT No. 3.

Amend Section 2, line 28, printed bill, by inserting the following: "*provided further*, that the members of the present Board of Dental Examiners whose terms of office have not expired shall hold office as members of said State Board of Dental Examiners for the remainder of their unexpired terms, respectively."

Adopted.

AMENDMENT No. 4.

Amend by striking out all of Section 4, line 4, printed bill, after the word "person," and inserting the following: "holding a certificate to practice dentistry in the State who has not heretofore registered his or her certificate with the County Clerk of the county in which such person resides, or if he or she resides out of the county in which he or she practices, then in the county in which such person practices, to cause his or her certificate to be registered, and it shall be the duty of all County Clerks to register such certificate in a book kept for that purpose."

Adopted.

AMENDMENT No. 5.

Amend by striking out of Section 5, line 13, printed bill, the word "regular," and inserting the following: "reputable."

Adopted.

AMENDMENT No. 6.

Amend Section 6, line 6, printed bill, after the word "person," by inserting the following: "over the age of eighteen years."

Adopted.

AMENDMENT No. 7.

Amend by striking out of Section 6, line 6, printed bill, the word "duly," and inserting the following: "regularly."

Adopted.

AMENDMENT No. 8.

Amend by striking out of Section 6, line 7, printed bill, the word "authorized." and inserting the following word: "practicing."

Adopted.

AMENDMENT No. 9.

Amend Section 6, line 13, printed bill, by inserting the following after the word "registration": "*provided, however,* that every person who is now studying dentistry with any regularly practicing dentist, may, within six months from the time this Act takes effect, cause his or her name to be registered with said board, and upon filing a sworn statement from his or her preceptor of the length of time such person has studied with said preceptor previous to registration, shall receive credit for such time as is shown in said statement, and shall only be required such other time for the purpose of presenting himself or herself for examination as will make a period of three years in all."

Adopted.

AMENDMENT No. 10.

Amend by striking out of Section 12, line 8, printed bill, the word "or," and inserting the following word: "of."

Adopted.

AMENDMENT No. 11.

Amend by striking out of Section 13, line 5, printed bill, the words "of license, diploma, or degree."

Adopted.

AMENDMENT No. 12.

Amend by striking out of Section 13, line 6, printed bill, the words "organized under."

Adopted.

AMENDMENT No. 13.

Amend by striking out of Section 13, line 7, printed bill, the words "and pursuant to provisions of this Act," and inserting the following: "or by the State Board of Dental Examiners of any of the States of the United States."

Adopted.

By Mr. Cutter:

Amend by striking out of Section 2, line 8, the word "out"; also, lines 9, 10, 11, 12, 13, 14, 15, 16, and 17; also, all of line 18, to and including the word "Governor," in printed bill.

Adopted.

REPORT OF SELECT COMMITTEE—(OUT OF ORDER).

Mr. Coombs was granted, by unanimous consent, permission to submit the following report out of order:

MR. SPEAKER: Your select committee appointed to revise the payroll of attachés of the Assembly, hereby report, and recommend the adoption of the following resolution:

Resolved, That the select committee be and it is hereby authorized and empowered to reduce the per diem of the several employés and attachés of the Assembly, to report said reduction to the House, and that said reduction take effect upon this 6th day of February, 1897.

COOMBS, Select Committee.

Mr. Coombs moved its adoption.

Mr. Dibble moved to amend by adding "if adopted by the Assembly."

Mr. Dennery moved to make the matter a special order for two o'clock P. M. next Tuesday.

Mr. Coombs accepted the amendment submitted by Mr. Dibble.

Mr. Dennery was permitted to withdraw his motion to make special order.

Mr. Leavitt moved to amend and make the action of the committee and its report subject to the approval of the Assembly.

Amendment adopted.

Resolution, as amended, adopted.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 528—An Act to amend Section 465 of the Civil Code, relating to the powers of railroads—have had the same under consideration, and respectfully report a substitute for the same, and recommend that it do pass.

CUTTER, Chairman.

By Committee on Corporations: Assembly Bill No. 780 (Substitute for Assembly Bill No. 528)—An Act to amend Section 465 of the Civil Code, relating to the powers of railroads.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 667—An Act to amend Section 595 of the Civil Code of the State of California, relating to religious, social, and benevolent associations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CUTTER, Chairman.

Assembly Bill No. 667—An Act to amend Section 595 of the Civil Code of the State of California, relating to religious, social, and benevolent associations.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 647—An Act to provide for the establishment of a board of examiners for the California State Therapeutic Society and College—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

CUTTER, Chairman.

Assembly Bill No. 647—An Act to provide for the establishment of a board of examiners for the California State Therapeutic Society and College.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 609—An Act to prevent deception in trade, and to prevent the giving of prizes by persons, firms, or corporations engaged in trade—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CUTTER, Chairman

Assembly Bill No. 609—An Act to prevent deception in trade, and to prevent the giving of prizes by persons, firms, or corporations engaged in trade.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 503—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—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CUTTER, Chairman

Assembly Bill No. 503—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, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 648—An Act to amend Section 2756 of the Civil Code, relating to the measure of indemnity in a fire insurance policy—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CUTTER, Chairman.

Assembly Bill No. 648—An Act to amend Section 2756 of the Civil Code, relating to the measure of indemnity in a fire insurance policy.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 632—An Act to provide for the organization and management of county fire insurance companies—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CUTTER, Chairman.

Assembly Bill No. 632—An Act to provide for the organization and management of county fire insurance companies.

Read first time, and placed on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 392—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

GUY, Chairman.

Assembly Bill No. 392 withdrawn by author.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 5th day of February passed the following:

Senate Bill No 145—An Act to amend Section 475 of the Code of Civil Procedure of the State of California, relating to errors and defects and reversals of judgments and orders.

Also: Senate Bill No 189—An Act to amend Sections 566 and 641 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, in relation to receivers and referees.

Also: Senate Bill No. 334—An Act to amend Section 613 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to cemetery corporations

Also: Senate Bill No. 276—An Act to amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gate.

Also: Senate Bill No 275—An Act to amend Section 388, Civil Code of the State of California, relative to the sale of a franchise to collect tolls.

Also: Senate Bill No. 178—An Act to add a new section to the Code of Civil Procedure of the State of California, relating to the voluntary dissolution of corporations, and to be known and numbered as Section 1234.

Also: Senate Bill No. 369—An Act to amend Section 1213 of the Civil Code of the State of California, relative to the recording of conveyances.

Also: Senate Bill No. 186—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. 310—An Act for the protection of the Antwerp messenger, or homing pigeon.

F. J. BRANDON, Secretary.

Senate Bill No. 145—An Act to amend Section 475 of the Code of Civil Procedure of the State of California, relating to errors and defects and reversals of judgments and orders.

Read first time, and referred to Committee on Revision of Codes and Statutes.

Senate Bill No. 189—An Act to amend Sections 566 and 641 of "An Act entitled an Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, in relation to receivers and referees.

Read first time, and referred to Committee on Revision of Codes and Statutes.

Senate Bill No. 334—An Act to amend Section 613 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to cemetery corporations.

Read first time, and referred to Committee on Revision of Codes and Statutes.

Senate Bill No. 275—An Act to amend Section 388 of the Civil Code of the State of California, relative to the sale of a franchise to collect tolls.

Read first time, and referred to Committee on Revision of Codes and Statutes.

Senate Bill No. 276—An Act to amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gate.

Read first time, and referred to Committee on Revision of Codes and Statutes.

Senate Bill No. 178—An Act to add a new section to the Code of Civil Procedure of the State of California, relating to the voluntary dissolution of corporations, and to be known and numbered as Section 1234.

Read first time, and referred to Committee on Revision of Codes and Statutes.

Senate Bill No. 369—An Act to amend Section 1213 of the Civil Code of the State of California, relative to the recording of conveyances.

Read first time, and referred to Committee on Revision of Codes and Statutes.

Senate Bill No. 310—An Act for the protection of the Antwerp messenger, or homing pigeon.

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

Senate Bill No. 186—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer property.

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

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 5th day of February passed the following: Assembly Bill No. 164—An Act to amend Section 2181 of the Civil Code of California, relating to luggage.

Also: Assembly Bill No. 306—An Act to provide for the management and operation of railroads above certain elevations.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Assembly Bills Nos. 164 and 306 ordered to enrollment.

WITHDRAWALS AND SUBSTITUTIONS.

Mr. Dibble moved that the following substitutions be made: Senate Bill No 268 for Assembly Bill No. 294; Senate Bill No. 269 for Assembly Bill No. 295; Senate Bill No. 270 for Assembly Bill No. 293, and the Assembly bills be withdrawn, they being identical bills.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 175, introduced by Mr. Vosburg—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles and 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.

CANAVAN, Chairman.

Assembly Bill No. 175—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles and State of California, and to make an appropriation therefor.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 639, introduced by Mr. Caminetti—An Act to provide for the care of the dependent and wayward classes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CANAVAN, Chairman.

Assembly Bill No. 639—An Act to provide for the care of the dependent and wayward classes.

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

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 122—An Act to amend Section 427 of the Civil Code, in relation to insurance.

Re-referred to committee for correction, but to retain its place on file.

Assembly Bill No. 620—An Act to amend Sections 6 and 25 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 as amended by an

Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners, and adding three new sections thereto, to be numbered 28, 29, and 30, respectively.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 621—An Act to provide for the payment of the wages of mechanics and laborers employed by persons, partnerships, or corporations.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 324—An Act to change the name of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California to "Home for Adult Blind."

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 380—An Act to empower the legislative body of any incorporated city or town within the State of California to levy taxes and expend the same in eradicating fruit-tree pests in cities and towns having within their corporate limits two thousand acres or more of fruit trees.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 252—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote horticultural interests of the State,'" approved March 19, 1889.

Read second time, and the following committee amendments were submitted.

AMENDMENT No. 1.

Section 1 is amended to read as follows:

Section 1. Whenever a petition is presented to the Board of Supervisors of any county, and signed by twenty-five or more persons who are resident freeholders and possessors of an orchard, or both, stating that certain or all orchards, or nurseries, or trees of any variety, are infested with scale insects of any kind injurious to fruit, fruit trees, and vines, codlin moth, or other insects that are destructive to trees, and praying that a commission be appointed by them, whose duty it shall be to supervise their destruction as herein provided, the Board of Supervisors shall, within twenty days thereafter, select one commissioner, at a compensation of not less than four dollars for each day actually engaged in the performance of his duties under this Act, for the county, to be known as a County Horticultural Commissioner. The Board of Supervisors may fill any vacancy that may occur in said office of said commissioner by death, resignation, or otherwise, and shall make all appointments to fill places becoming vacant by term expiring, one month or thereabouts previous to the expiration of his term of office. The said commissioner shall serve for a period of one year from the period of his appointment, except the commissioners first appointed, in any county, one of whom, if only two, shall serve for one year, and the other for three years, or if three are appointed, one shall serve for one year, one for two years, and one for three years. The commissioners so first appointed shall themselves decide, by lot or otherwise, who shall serve for one year.

Adopted.

AMENDMENT No. 2.

Amend Section 2, on line 54, of printed bill, by inserting after the word "vested," the words "under the provisions of this Act."

Adopted.

AMENDMENT No. 3.

Amend Section 2, lines 55 and 56, by striking out the words "as amended, 1891."

Adopted.

AMENDMENT No. 4.

Amend Section 4, on line 12 of printed bill, by striking out the word "shall" after the word "board," and substituting the word "may."

Adopted.

AMENDMENT No. 5.

Amend Section 5, on line 9, by inserting after the word "day," the words "when actually engaged in the performance of their duties."

Adopted.

Assembly Bill No. 252 ordered to printer, engrossment, and third reading.

Assembly Bill No. 61—An Act amending Section 3245 of the Political Code.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 72—An Act to keep open natural channels, not navigable, which run through agricultural land, and are subject to overflow, to the injury of the land, and the duty of Boards of Supervisors in relation thereto.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 191—An Act to amend Section 3633 of the Political Code of the State of California, relating to the assessment of property of persons neglecting or refusing to make and give to the Assessor a statement of his property.

Withdrawn by author.

LEAVE OF ABSENCE.

Mr. Robinson was granted leave of absence until Monday at eleven o'clock A. M.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 398—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 9 of Section 164 thereof, relating to the compensation of the Coroner in counties of the second class.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 78—An Act to amend the section referring to jurors' fees in "An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State," approved March 28, 1895.

Read second time.

The following amendment was submitted:

Amend by striking out of line 3 the word "three," and inserting in lieu thereof the word "two."

Adopted.

Assembly Bill No. 78 ordered to printer, engrossment, and on file for third reading.

Assembly Bill No. 59—An Act to add two new sections to the Code of Civil Procedure, said sections to be designated as Sections 663 and 663½, respectively, providing for the setting aside of a judgment of a Superior Court and the rendition of a new judgment without a new trial.

Read second time, and ordered engrossed and to third reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Bridgford: Assembly Bill No. 781—An Act to add a new sec-

tion to the Political Code, to be known as Section 2681½, relating to roads and highways.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Emmons: Assembly Bill No. 782—An Act to prevent and forbid street railroad companies and other corporations from requiring deposits from employés.

Read first time, and referred to Committee on Judiciary.

ADJOURNMENT.

At twelve o'clock and ten minutes P. M., on motion of Mr. Price, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 8, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Foreman, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Keables, Keegan, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McLaurin, North of Alameda, North of Yolo, Robinson, Sanford, Sims, Shanahan, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Landsborough and Dolan were granted a leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF JOURNAL.

The reading of the Journal of Saturday, February 6th, was dispensed with.

APPROVAL OF JOURNAL.

The Journal of Friday, February 5th, was approved as corrected.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.:

Assembly Bill No. 120—An Act to provide additional support and maintenance, and for the acquisition of necessary property and improvements for the University of California, by the levy of a rate of taxation, and the creation of a fund therefor.

Assembly Bill No 59—An Act to add two new sections to the Code of Civil Procedure, said sections to be designated as Sections 663, 663½, respectively, providing for the setting

aside of a judgment of a Superior Court and the rendition of a new judgment without a new trial.

Assembly Bill No. 61—An Act to amend Section 3245 of the Political Code.

Assembly Bill No. 72—An Act to keep open natural channels, not navigable, which run through agricultural land and are subject to overflow, to the injury of the land, and the duty of Boards of Supervisors in relation thereto.

Assembly Bill No. 191—An Act to amend Section 3633 of the Political Code of the State of California, relating to the assessment of property of persons neglecting or refusing to make and give to the Assessor a statement of his property.

Assembly Bill No 324—An Act to change the name of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California to "Home for the Adult Blind."

Assembly Bill No. 380—An Act to empower the legislative body of any incorporated city or town within the State of California to levy taxes and expend the same in eradicating fruit-tree pests in cities and towns having within their corporate limits two thousand acres or more of fruit trees

Assembly Bill No. 398—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 9 of Section 164 thereof, relating to the compensation of the Coroner in counties of the second class.

Assembly Bill No 620—An Act to amend Sections 6 and 25 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 as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners, and adding three new sections thereto, to be numbered 28, 29, and 30, respectively.

Assembly Bill No 621—An Act to provide for the payment of the wages of mechanics and laborers employed by persons, partnerships, or corporations.

AUSTIN, Chairman

SPECIAL ORDERS.

Assembly Bill No. 738—An Act to amend Sections 237, 245, 246, and 268 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

Mr. Belshaw moved to make Assembly Bill No. 738 special order for eleven o'clock A. M.

So ordered.

Assembly Bill No. 622—An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State Home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State.

Read second time, and ordered engrossed and to third reading.

Mr. Dibble moved that Assembly Bill No. 622 be made a special order for Wednesday morning, immediately after reading of the Journal.

Mr. Caminetti moved as a substitute that Assembly Bill No. 622 be referred to the Committee on Ways and Means.

Motion lost.

The question now being, "Shall Assembly Bill No. 622 be made special order for Wednesday morning?"

So ordered.

Mr. North, of Alameda, moved that the rules be suspended, and that Assembly Bill No. 681 be taken up out of order and read second time.

So ordered.

Assembly Bill No. 681—An Act concerning bridges across navigable streams.

Read second time.

The following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend Section 1, line 3, by inserting after the word "stream" the following: "wholly or in part."

Also, by striking out of line 16, Section 1, the word "railroad," and inserting the word "person" therefor; also, by striking out of line 16, Section 1, the word "other."

Adopted.

AMENDMENT No. 2.

Amend by striking out of line 21, Section 1, the words "railroad corporations," and substituting the word "person" therefor; also, by striking out of line 21, Section 1, the word "other"; also, by striking out of line 21, Section 1, the words "railroad company," and substituting the word "person" therefor; also, by striking out of line 21 the word "other"

Adopted.

AMENDMENT No. 3.

Amend Section 2 by striking out of line 5, in printed bill, the words "railroad company," and substituting the word "person" therefor; also, by striking out the word "other," in line 5 of printed bill.

Adopted.

AMENDMENT No. 4.

Amend Section 2 by inserting after the word "funds," in line 8 of printed bill, the following: "and provided that in no event shall the county pay more than one half the cost of construction, repair, or reconstruction of any such joint bridges."

Adopted.

Mr. North moved that Assembly Bill No. 681 be made a special order for Wednesday morning, immediately after reading of the Journal.

So ordered.

Assembly Bill No. 681 was ordered to printer, engrossment, and third reading.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 253—An Act to increase the number of Judges of the Superior Court of the County of Santa Clara, and to provide for the appointment of an additional Judge, and presented the same to the Governor on this day, at three o'clock and twenty minutes P. M.

FONTANA, Chairman.

Mr. Sanford moved that Assembly Bill No. 44 be made the special order for to-morrow (Tuesday), at two o'clock P. M.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 8, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 6th day of February passed the following: Assembly Bill No. 286—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

F. J. BRANDON, Secretary
By GEO. W. MCINTYRE, Assistant.

Assembly Bill No. 286 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, ———, 1897.

MR. SPEAKER: I am directed to request your honorable body to return to the Senate for their further consideration Senate Bill No. 81—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 397 thereof, relating to penalties for selling liquor to habitual or common drunkards and Indians

F. J. BRANDON, Secretary.

Mr. Dibble moved that Senate Bill No. 81 be recalled from the Committee on Public Morals.

So ordered.

Senate Bill No. 81 was returned to the Assembly by the Committee on Public Morals.

Mr. Dibble moved that Senate Bill No. 81 be returned to the Senate.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Belshaw:

Resolved, That the State Printer be and he is hereby directed to return to the Assembly, Assembly Bill No. 738 out of order.

Adopted.

REPORTS OF STANDING COMMITTEES.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 196—An Act: Be it enacted by the Assembly in session, 1897, the Senate concurring, that the following Act be added to the road law of California, to be numbered Section 2737½, Article VIII—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by substituting.

CLARKE, Chairman.

Assembly Bill No. 196 ordered on file for second reading.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Roads and Highways: Assembly Bill No. 783 (Substitute for Assembly Bill No. 196)—An Act to amend Section 2737 of the Political Code, relating to bridges and highways, and the construction of bridges over ditches and across highways.

Read first time, and placed on file for second reading.

Mr. McClellan moved that Assembly Bill No. 783 take the place of Assembly Bill No. 196 on the second-reading file.

So ordered.

LEAVE OF ABSENCE.

Mr. Emmons was granted leave of absence for to-day.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1897.

MR SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Senate Bill No. 189—An Act to amend Sections 566 and 641 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, in relation to receivers and referees

Also: Senate Bill No. 334—An Act to amend Section 613 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to cemetery corporations

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Judiciary.

Senate Bills Nos. 189 and 334 ordered re-referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1897.

MR SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Assembly Bill No. 700—An Act to amend Section 53 of the Code of Civil Procedure of the State of California

Also: Assembly Bill No. 701—An Act to amend Section 2032 of the Code of Civil Procedure of the State of California, relative to the taking of depositions in this State.

Also: Assembly Bill No. 702—An Act relating to the falsifying of evidence, and amending Section 132 of the Penal Code of the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Judiciary.

Also: Assembly Bill No 703—An Act to amend Section 1577 of the Political Code of the State of California, relating to the time of forming new school districts, and changing the boundaries of school districts—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Education.

Assembly Bills Nos. 700, 701, and 702 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 703 ordered re-referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Assembly Bill No 97—An Act to amend Section 924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to mortgages.

Also: Assembly Bill No. 180—An Act to amend Sections 338, 339, and 341 of the Penal Code, and to add two new sections thereto, to be known and designated as Sections 344 and 345, relating to pawnbrokers.

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

Also: Assembly Bill No. 168—An Act to amend Section 1917 of the Civil Code, relative to the legal rate of interest—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 347—An Act to amend Sections 237, 245, 246, and 268 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to officers and employés of the Legislature—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. 99—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to mortgages—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

DIBBLE, Chairman.

Assembly Bill No. 97—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code."

Read first time, and placed on file for second reading.

Assembly Bill No. 180—An Act to amend Sections 338, 339, and 341 of the Penal Code, and add two new sections thereto, to be known and designated as Sections 344 and 345, relating to pawnbrokers.

Read first time, and placed on file for second reading.

Assembly Bill No. 168—An Act to amend Section 1917 of the Civil Code, relative to the legal rate of interest.

Read first time, and placed on file for second reading.

Assembly Bill No. 347—An Act to amend Sections 237, 245, 246, and 268 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to officers and employés of the Legislature.

Read first time, and placed on file for second reading.

Assembly Bill No. 99—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to mortgages.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Senate Bill No. 145—An Act to amend Section 475 of the Code of Civil Procedure of the State of California, relating to errors and defects and reversals of judgments and orders—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and that the author of Assembly (identical) Bill No. 165 be permitted to withdraw it

Also: Senate Bill No. 369—An Act to amend Section 1213 of the Civil Code of the State

of California, relative to the recording of conveyances—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and that the author of Assembly (identical) Bill No. 399 be permitted to withdraw it.

Also: Senate Bill No. 276—An Act to amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gate—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that the author of Assembly (identical) Bill No. 199 be permitted to withdraw it.

Also: Senate Bill No 178—An Act to add a new section to the Code of Civil Procedure of the State of California, relating to the voluntary dissolution of corporations, to be known and numbered as Section 1234—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DIBBLE, Chairman.

Senate Bill No. 145—An Act to amend Section 475 of the Code of Civil Procedure of the State of California, relating to errors and defects and reversals of judgments and orders.

Ordered on file for second reading.

Senate Bill No. 369—An Act to amend Section 1213 of the Civil Code of the State of California, relative to the recording of conveyances.

Ordered on file for second reading.

Senate Bill No. 276—An Act to amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gate.

Ordered on file for second reading.

Senate Bill No. 178—An Act to add a new section to the Code of Civil Procedure of the State of California, relating to the voluntary dissolution of corporations, and to be known and numbered as Section 1234.

Ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1897.

MR SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Senate Bill No. 275—An Act to amend Section 388 of the Civil Code of the State of California, relative to the sale of a franchise to collect tolls—have had the same under consideration, and respectfully report a substitute therefor, and recommend that the substitute do pass.

Also: Senate Bill No. 179—An Act to amend Section 581 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the dismissal of civil actions—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, as Assembly Bill No. 420, substantially the same, has already passed this Assembly.

DIBBLE, Chairman.

By Committee on Revision of Codes and Statutes: Assembly Bill No. 784 (Substitute for Senate Bill No. 275)—An Act to amend Section 388 of the Civil Code of the State of California, relative to the sale of a franchise.

Read first time, and placed on file for second reading.

Senate Bill No. 179—An Act to amend Section 581 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the dismissal of civil actions.

On file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes respectfully report the following original bills, and recommend that they do pass:

1. An Act to amend Section 602 of the Civil Code, relating to corporations sole
2. An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646,

647, and 648 of the Civil Code, and adding a new section thereto, to be known as Section 648¼, relating to building and loan associations.

And respectfully report the same back, and recommend that they do pass.

DIBBLE, Chairman.

By Committee on Revision of Codes and Statutes: Assembly Bill No. 785—An Act to amend Section 602 of the Civil Code, relating to corporations sole.

Read first time, and placed on file for second reading.

Also: Assembly Bill No. 786—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, and 648 of the Civil Code, and adding a new section thereto, to be known as Section 648¼, relating to building and loan associations.

Read first time, and placed on file for second reading.

ON BANKS AND BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred Assembly Bill No. 429—An Act to amend Section 571 of the Civil Code, relating to savings and loan corporations—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

HILL, Chairman.

Assembly Bill No. 429—An Act to amend Section 571 of the Civil Code, relating to savings and loan corporations.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1897.

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred Assembly Bill No. 625—An Act relating to certain banking corporations, and the management and administration of the affairs of such corporations—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

HILL, Chairman.

Assembly Bill No. 625 withdrawn by author.

MOTIONS.

Mr. McLaurin moved that Assembly Bill No. 394 be recommitted to Committee on Education.

So ordered.

Mr. McClellan moved that Assembly Bill No. 783 be substituted for Assembly Bill No. 196, and take its place on the second-reading file.

So ordered.

Mr. Keables moved that Senate Bill No. 276 be substituted for Assembly Bill No. 199, and take its place on file.

So ordered.

INTRODUCTION OF BILLS.

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

By Mr. Dennery: Assembly Bill No. 787—An Act to amend Section 412 of the Penal Code, relating to boxing or sparring matches and prize or ring fights.

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

Also: Assembly Bill No. 788—An Act to amend Section 842 of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

By Mr. Lindenberger: Assembly Bill No. 789—An Act to amend Section 309 of the Civil Code of California, relating to the liability of directors of corporations, and providing for the enforcement of the same.

Read first time, and referred to Committee on Corporations.

By Mr. Shanahan: Assembly Bill No. 790—An Act to amend Section 1576 of the Code of Civil Procedure, relating to the purchase of property of deceased persons by administrator or executor.

Read first time, and referred to Committee on Judiciary.

By Mr. Anderson: Assembly Bill No. 791—An Act to amend Sections 3476 and 3477 of the Political Code, relating to reclamation of swamp and overflowed lands.

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

By Mr. McClellan: Assembly Bill No. 792—An Act to amend Section 3342 of the Political Code of California, relating to fire departments.

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

By Mr. Hill: Assembly Bill No. 793—An Act to amend an Act entitled "An Act to prevent the sale of short-weight rolls of butter," approved March 11, 1893, and to add a new section thereto, numbered 3, relative to stamping the name and residence upon each roll.

Read first time, and referred to Committee on Agriculture.

SPECIAL ORDER.

Mr. Belshaw moved that Assembly Bill No. 738 be made the special order for to-morrow morning, immediately after the reading of the Journal.

So ordered.

Assembly Bill No. 738—An Act to amend Sections 237, 245, 246, and 268 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 engrossment and third reading.

RESOLUTIONS.

By Mr. Vosburg:

WHEREAS, One J. E. Gross, an attaché of this Assembly, was granted leave of absence by the Sergeant-at-Arms to visit a sick member of his family; and

WHEREAS, A Los Angeles paper states that he and the reported sick member of his family are seen on the streets frequently; therefore, be it

Resolved, That said Gross be dropped from the list of attachés of this Assembly.

On motion of Mr. Vosburg, the rules were suspended and the resolution adopted.

By Mr. Dibble:

Resolved, That the Secretary of State be and is hereby authorized and directed to furnish the Committees on Judiciary, Revision of Codes, and Election Laws, each one set of Deering's latest edition Annotated Codes, and the State Controller is hereby directed to draw his warrant on the fund for the payment of the contingent expenses of the Assembly in payment for the same, and the State Treasurer is hereby authorized to pay said warrant.

Bought of H. S Crocker Co
January 18—3 sets Deering's Annotated Codes @ $25 ..... $75 00

Referred to Committee on Ways and Means.

By Mr. Anderson:

SECTION 1. Whenever the Assembly shall be called to order for the purpose of going into session, it shall be the duty of the Speaker to request all persons, other than the members or ex-members of the Assembly, Senators, State officials, the attachés at the desk, and all properly accredited newspaper reporters, who shall occupy seats at desks

assigned them, to leave the floor of the Assembly, and no person or persons other than the above-mentioned shall be allowed upon the floor of the Assembly while the same is in session, except, that any lady may be shown to a seat inside the rail by the Sergeant-at-Arms, or any committee clerk may be admitted to the seat of a member upon the written request of any member of the Assembly.

SEC. 2. The Speaker shall strictly enforce this rule, and the Sergeant-at-Arms shall preserve all written requests made to him by members, and shall be held responsible for all violations of this rule.

Referred to Committee on Rules and Regulations.

MOTION.

Mr. Shanahan moved that the rules be suspended, and the Assembly take up for consideration Assembly Bill No. 482.

So ordered.

Assembly Bill No. 482—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, and to appoint a secretary therefor, to assist said court in the performance of its duties and in the disposition of numerous causes pending in said court, and to provide for the compensation of said commissioners and secretary, and to appropriate money therefor.

Mr. Shanahan moved that the House resolve itself into Committee of the Whole for the purpose of considering Assembly Bill No. 482.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 482 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: Your Committee of the Whole have had under consideration Assembly Bill No. 482—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, and to appoint a secretary therefor, to assist said court in the performance of its duties and in the disposition of numerous causes pending in said court, and to provide for the compensation of said commissioners and secretary, and to appropriate money therefor—and now report the bill back to the House, and recommend that the same do pass as amended.

COOMBS, Chairman.

COMMITTEE OF THE WHOLE AMENDMENT.

Amend by striking out of line 9, printed bill, Section 1, after the word "of" and before the word "years," the word "four" and insert in lieu thereof the word "two."

Adopted.

Assembly Bill No. 482 ordered to printer, engrossment, and third reading, and on special file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was re-referred Assembly Bill No. 122—have had the same under consideration, and respectfully report the same back, correctly amended, as per instructions of the Assembly.

CUTTER, Chairman.

THIRD-READING FILE.

Assembly Bill No. 80—An Act to provide for the employment of citizens of the United States upon public works within this State.

Mr. Bettman moved that Assembly Bill No. 80 be re-referred to Committee on Labor and Capital.

So ordered.

SPECIAL FILE.

Assembly Bill No. 405—An Act making an appropriation for improving the Capitol building and grounds.

Passed on file.

Mr. Bettman moved that the vote whereby Assembly Bill No. 80 was re-referred to the Committee on Labor and Capital be reconsidered.

So ordered.

Assembly Bill No. 80 was passed, to retain its place on file.

Assembly Bill No. 49—An Act to provide for a lunch hour for employés.

Passed on file.

Assembly Bill No. 18—An Act to amend clause 37, Section 25, County Government Act.

Passed on file.

Assembly Bill No. 57—An Act to amend Section 792 of the Political Code, so as to prohibit a county officer or his deputy from being a notary public.

Passed on file.

Assembly Bill No. 150—An Act to define the duties and liabilities of employment agents.

Mr. Belshaw moved that a select committee of one be appointed by the Speaker to make the following amendment:

Strike out of Section 1, line 9, all after the word "aforesaid."

So ordered.

The Speaker appointed Mr. Belshaw such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 150—An Act to define the duties and liabilities of employment agents—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.

Report adopted.

Mr. Malcolm moved that Assembly Bill No. 150 retain its place on file.

So ordered.

Mr. Malcolm moved that the vote by which the Assembly adopted the amendment offered by the select committee of one be reconsidered.

So ordered.

Mr. Malcolm moved the adoption of the amendment to Assembly Bill No. 150, offered by the select committee of one.

Lost.

Assembly Bill No. 264—An Act to amend Section 172 of the Civil Code, relative to the management and control of community property.

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. Dibble moved a call of the House.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Bridgford, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Goff, Guy, Henry, Hill, Houghton, Hudson, Keables, Keegan, Lacy, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McClellan, McLaurin, North of Alameda, North of Yolo, Robinson, Sanford, Sims, Shanahan, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

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

So ordered.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Bridgford, Burnham, Caminetti, Clarke, Cutter, Dennery, Goff, Guy, Harris, Henry, Hudson, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McClellan, McLaurin, North of Alameda, North of Yolo, Robinson, Sanford, Sims, Shanahan, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—41.

NOES—Messrs. Chynoweth, Cross, Damon, Dryden, Foreman, Hill, Houghton, Keables, Keegan, Lacy, and Malcolm—11.

Title read and approved.

Assembly Bill No. 260—An Act to validate the organization and incorporation of municipal corporations.

Passed on file.

RECESS.

At twelve o'clock and twenty-eight minutes P. M. Mr. Dibble moved to take a recess until two o'clock P. M.

So ordered.

REASSEMBLED.

The Assembly reassembled at two o'clock and ten minutes P. M.

Speaker Coombs in the chair.

Quorum present.

SPECIAL ORDER.

Assembly Bill No. 120—An Act to provide additional support and maintenance, and for the acquisition of necessary property and improvements, for the University of California, by the levy of a rate of taxation, and the creation of a fund therefor.

Read third time.

PREVIOUS QUESTION.

Pending the consideration of Assembly Bill No. 120, the previous question was demanded by Messrs. Mead, Belshaw, and McClellan.

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. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Foreman, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Keables, Keegan, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo

Robinson, Sanford, Sims, Shanahan, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—55.
NOES—None.

Title read and approved.

On motion of Mr. Dibble, Mr. Melick was allowed to have his vote recorded as having been cast in favor of Assembly Bill No. 120.

LEAVE OF ABSENCE.

Mr. Landsborough was granted leave of absence for the day.

SENATE SPECIAL FILE.

Senate Bill No. 135—An Act to prohibit the adulteration of honey, and to provide a punishment therefor.

Read third time.

Mr. Leavitt moved that the Senate special file be passed for the day.

So ordered.

Mr. Leavitt moved that when the Assembly adjourn it be until seven o'clock and thirty minutes P. M.

So ordered.

THIRD READING OF BILLS.

Assembly Bill No. 4—An Act to protect all citizens in their civil and legal rights.

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. Dibble moved a call of the House.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Anderson, Austin, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Clarke, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Foreman, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Keables, Keegan, Lacy, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Robinson, Sanford, Sims, Shanahan, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker.

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

So ordered.

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

AYES—Messrs. Aldridge, Allen, Austin, Bettman, Burnett, Burnham, Caminetti, Clarke, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Foreman, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Keables, Keegan, Lacy, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McLaurin, North of Alameda, North of Yolo, Robinson, Sims, Shanahan, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—44.
NOES—Messrs. Anderson, Boone, Bridgford, McCandlish, McClellan, and Sanford—6.

Title read and approved.

Assembly Bill No. 14—An Act to amend Section 2955 of the Civil Code of California, respecting the mortgaging of personal property.

Read third time.

Mr. Anderson moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by adding after the word "cured," on line 35, the words "also, all boxes, fruit-graders, drying-trays, and fruit-ladders."

So ordered.

The Speaker appointed Mr. Anderson a select committee of one to make the amendment.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 14—An Act to amend Section 2955 of the Civil Code of California, respecting the mortgaging of personal 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.

ANDERSON, Committee.

Report adopted.

Assembly Bill No. 14 ordered to printer and engrossment.

Mr. Bridgford moved that Assembly Bill No. 14 retain its place on file.

So ordered.

Assembly Bill No. 455—An Act to amend the Code of Civil Procedure by adding thereto a new section, to be numbered Section 676, relating to conveyances under order of court.

Passed on file.

Assembly Bill No. 456—An Act to amend Section 691 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 457—An Act to amend the Code of Civil Procedure, by adding thereto a new section, to be numbered Section 811, relating to dissolution of corporations.

Passed on file.

Assembly Bill No. 458—An Act to amend Section 868 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 459—An Act to amend Section 939 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 460—An Act to amend Section 943 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 461—An Act to amend Section 963 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 462—An Act to amend Section 977 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 463—An Act to amend Section 980 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 464—An Act to amend Section 1490 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 465—An Act to amend Section 1491 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 466—An Act to amend the Code of Civil Procedure, by adding thereto a new section, to be numbered Section 1593, relating to the rights of executors and administrators to bid at foreclosure sales in certain cases.

Passed on file.

Assembly Bill No. 467—An Act to amend Section 1906 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 468—An Act to amend Section 1918 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 469—An Act to amend Section 1991 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 470—An Act to amend the Code of Civil Procedure by adding thereto two new sections, numbered, respectively, 2039 and 2040, relating to letters rogatory.

Assembly Bill No. 332—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Passed on file.

Assembly Bill No. 23—An Act entitled an Act to amend Section 1575 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 157—An Act to regulate the width of tires of wagons to be used on the public highways 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. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Bridgford, Burnett, Caminetti, Clarke, Cross, Damon, Dibble, Dolan, Foreman, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Keables, Keegan, Lindenberger, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Sanford, Sims, Shanahan, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—44.

NOES—Messrs. Dryden and Lacy—2.

Title read and approved.

Assembly Bill No. 76—An Act to amend Section 261 of the Penal Code of the State of California, relating to the crime of rape and what constitutes the same.

Read third time.

Mr. Dryden moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 261, line 6, the word "sixteen," and insert "eighteen."

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 Aldridge, Allen, Austin, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Foreman, Goff, Harris, Hill, Houghton, Hudson, Keables, Lacy, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McLaurin, North of Alameda, North of Yolo, Sanford, Sims, Shanahan, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—47.

NOES—None.

Title read and approved.

RECESS.

At three o'clock and thirty-five minutes P. M., Mr. North, of Alameda, moved that the Assembly do now take a recess until seven o'clock and thirty minutes P. M.

So ordered.

REASSEMBLED.

The Assembly reassembled at eight o'clock and ten minutes P. M. Speaker Coombs in the chair.

Quorum present.

COMMITTEE REPORT.

Mr. Melick asked leave to report back from Committee on Commissions, Retrenchment, and Public Expenditures, Assembly Bill No. 734.

So ordered.

RESOLUTION—(CASE OF URGENCY).

By Mr. Guy:

Resolved, That Assembly bills numbered 208, 209, 210, 211, 212, 214, 216, 217, 218, 219, 220, 221, 222, 223, 226, 228, 230, 231, 235, 237, 238, 239, 240, 243, 249, and 236 do, and each of them does, present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that 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 second and third times, and placed upon their passage.

The question being, "Shall the resolution suspending the constitutional provision, and making these bills cases of urgency, be adopted?"

The roll was called, and pending the announcement of the result, Mr. Dibble moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The Speaker directed the Sergeant-at-Arms to bar the door.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Boone, Bridgford, Burnett, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Foreman, Goff, Goodhue, Guy, Henry, Hill, Houghton, Hudson, Keables, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

The following members: Messrs. Belshaw, Bettman, Burnham, Dennery, Harris, and Mulcrevy, were absent without leave, and the Speaker directed the Sergeant-at-Arms to arrest and bring said absent members before the bar of the House.

Messrs. Bettman, Harris, Burnham, Dennery, and Mulcrevy were brought before the bar of the House.

Mr. Toland moved that the prisoners at the bar of the House be excused.

So ordered.

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

So ordered.

The result of the roll call was announced, and the resolution of urgency adopted by the following vote:

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Bettman, Boone, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Keables, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Wright—54.

NOES—Mr. Anderson and Mr. Speaker—2.

SPECIAL URGENCY FILE.

Assembly Bill No. 208—An Act making an appropriation to pay the deficiency in the appropriation for support of Southern California Hospital for Insane and Inebriates for the forty-seventh fiscal year.

Read second time.

Assembly Bill No. 209—An Act making an appropriation to pay the claim of R. J. Broughton, for transportation of prisoners.

Read second time.

Assembly Bill No. 210—An Act making an appropriation to pay the deficiency in the appropriation for transportation of prisoners, for payment of the claim of W. C. Conroy, in conveying children to Whittier.

Read second time.

Assembly Bill No. 211—An Act making an appropriation to pay the deficiency in the appropriation for pay of salaries of agents or assistants, for traveling expenses, and for other contingent expenses of the Bureau of Labor Statistics, as authorized by Statutes of 1889, page 7.

Read second time.

Assembly Bill No. 212—An Act making an appropriation to pay the claim of Charles Phipps, for services rendered as Assistant Secretary of the State Board of Examiners from February 15, 1891, to March 21, 1891.

Read second time.

Assembly Bill No. 214—An Act making an appropriation to pay the deficiency incurred by calling the National Guard of California into service, by order of the Governor, in 1894.

Read second time.

Assembly Bill No. 216—An Act making an appropriation to pay the deficiency in the appropriation for postage and contingent expenses of the Clerk of the Supreme Court for the forty-sixth fiscal year.

Read second time.

Assembly Bill No. 217—An Act making an appropriation to pay the claims of the State Board of Health, for traveling expenses.

Read second time.

Assembly Bill No. 218—An Act making an appropriation to pay the deficiency in the appropriation for pay of stenographer for the State Board of Railroad Commissioners, for services rendered by Frank H. Lombard

Read second time.

Assembly Bill No. 219—An Act making an appropriation to pay the deficiency in the appropriation for the forestry stations for the forty-sixth fiscal year.

Read second time.

Assembly Bill No. 220—An Act making an appropriation to pay the deficiency in the appropriation for care of State Burial Grounds, for services rendered by W. C. Farnsworth.

Read second time.

Assembly Bill No. 221—An Act making an appropriation to pay the deficiency in the appropriation for the arrest and conviction of highway robbers, to pay the claim of George A. Parker for arrest and conviction of Ed Ward.

Read second time.

Assembly Bill No. 222—An Act making an appropriation to pay the

deficiency in the appropriation for the arrest and conviction of highway robbers, to pay the claim of George A. Parker.

Read second time.

Assembly Bill No. 223—An Act making an appropriation to pay the claim of Edwin F. Ingles, for the arrest of F. J. Morgan for attempted highway robbery.

Read second time.

Assembly Bill No. 226—An Act making an appropriation to pay the claim of Wm. Macdonald, for expenses incurred in the funeral of Governor Jones, of Nevada.

Read second time.

Assembly Bill No. 228—An Act making an appropriation to pay the claim of Earl H. Daggett, for the arrest of Daniel McCall for attempted highway robbery.

Read second time.

Assembly Bill No. 230—An Act making an appropriation for the payment of the claim of A. J. Bogard, administrator of the estate of J. J. Bogard, deceased, for the arrest of Samuel McGuire for attempted highway robbery.

Read second time.

Assembly Bill No. 231—An Act making an appropriation to pay the claim of W. N. Hendricks, for the arrest of John Keener for attempted highway robbery.

Read second time.

Assembly Bill No. 235—An Act making an appropriation to pay the claim of Cassasa's First Regiment Band, for music furnished for the funerals of the late Generals Dimond and McComb.

Read second time.

Assembly Bill No. 237—An Act making an appropriation to pay the claim of W. J. Deater, for publishing notice and summons in foreclosing interest of delinquent purchasers of State school lands.

Read second time.

Assembly Bill No. 238—An Act making an appropriation to pay the claim of Geo. A. Sturtevant, for costs of suit in foreclosing delinquent purchasers of State school lands.

Read second time.

Assembly Bill No. 239—An Act making an appropriation to pay expenses incurred by the Commission for the Revision and Reform of the Law.

Read second time.

Assembly Bill No. 240—An Act making an appropriation to pay the deficiency in the appropriation to provide for the erection and operation of rock-crushing plants at the State prisons, etc.

Read second time.

Assembly Bill No. 243—An Act making an appropriation to pay the deficiency in the appropriation for payment of the expenses incurred in calling the National Guard of California into service, by order of the Governor, in 1894.

Read second time.

Assembly Bill No. 249—An Act making an appropriation to pay the claim of Dennis Jordan, for balance due for work done on the State Prison at Folsom.

Read second time.

Assembly Bill No. 236—An Act making an appropriation to pay the deficiency in the appropriation for traveling expenses of the Board of Railroad Commissioners.

Read second time.

Mr. Guy moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 208, 209, 210, 211, 212, 214, 216, 217, 218, 219, 220, 221, 222, 223, 226, 228, 230, 231, 235, 237, 238, 239, 240, 243, 249, and 236.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bills Nos. 208, 209, 210, 211, 212, 214, 216, 217, 218, 219, 220, 221, 222, 223, 226, 228, 230, 231, 235, 237, 238, 239, 240, 243, 249, and 236 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly bills, as follows:

Assembly Bill No. 208—An Act making an appropriation to pay the deficiency in the appropriation for support of Southern California Hospital for Insane and Inebriates, for the forty-seventh fiscal year.

Assembly Bill No. 210—An Act making an appropriation to pay the deficiency in the appropriation for transportation of prisoners, for payment of the claim of W. C. Conroy, in conveying children to Whittier.

Assembly Bill No. 211—An Act making an appropriation to pay the deficiency in the appropriation for pay of salaries of agents or assistants, for traveling expenses, and for other contingent expenses of the Bureau of Labor Statistics, as authorized by Statutes of 1889, page 7.

Assembly Bill No. 212—An Act making an appropriation to pay the claim of Charles Phipps, for services rendered as Assistant Secretary of the State Board of Examiners from February 15, 1891, to March 21, 1891.

Assembly Bill No. 214—An Act making an appropriation to pay the deficiency incurred by calling the National Guard of California into service, by order of the Governor, in 1894.

Assembly Bill No. 216—An Act making an appropriation to pay the deficiency in the appropriation for postage and contingent expenses of the Clerk of the Supreme Court for the forty-sixth fiscal year.

Assembly Bill No. 217—An Act making an appropriation to pay the claims of the State Board of Health, for traveling expenses.

Assembly Bill No. 218—An Act making an appropriation to pay the deficiency in the appropriation for pay of stenographer for the State Board of Railroad Commissioners, for services rendered by Frank H. Lombard.

Assembly Bill No. 219—An Act making an appropriation to pay the deficiency in the appropriation for the forestry stations for the forty-sixth fiscal year.

Assembly Bill No. 220—An Act making an appropriation to pay the deficiency in the appropriation for care of State Burial Grounds, for services rendered by W. C. Farnsworth.

Assembly Bill No 221—An Act making an appropriation to pay the deficiency in the appropriation for the arrest and conviction of highway robbers, to pay the claim of George A Parker for arrest and conviction of Ed Ward.

Assembly Bill No. 222—An Act making an appropriation to pay the deficiency in the appropriation for the arrest and conviction of highway robbers, to pay the claim of George A. Parker.

Assembly Bill No. 223—An Act making an appropriation to pay the claim of Edwin F. Ingles, for the arrest of F. J. Morgan for attempted highway robbery.

Assembly Bill No. 226—An Act making an appropriation to pay the claim of Wm. Macdonald, for expenses incurred in the funeral of Governor Jones, of Nevada.

Assembly Bill No. 228—An Act making an appropriation to pay the claim of Earl H. Daggett, for the arrest of Daniel McCall for attempted highway robbery

Assembly Bill No 230—An Act making an appropriation for the payment of the claim of A. J. Bogard, administrator of the estate of J. J. Bogard, deceased, for the arrest of Samuel McGuire for attempted highway robbery.

Assembly Bill No. 231—An Act making an appropriation to pay the claim of W. N. Hendricks, for the arrest of John Keener for attempted highway robbery.

Assembly Bill No. 235—An Act making an appropriation to pay the claim of Cassasa's First Regiment Band, for music furnished for the funerals of the late Generals Dimond and McComb

Assembly Bill No. 237—An Act making an appropriation to pay the claim of W. J. Deater, for publishing notice and summons in foreclosing interest of delinquent purchasers of State school lands.

Assembly Bill No. 238—An Act making an appropriation to pay the claim of Geo. A. Sturtevant, for costs of suits in foreclosing delinquent purchasers of State school lands.

Assembly Bill No 239—An Act making an appropriation to pay expenses incurred by the Commission for the Revision and Reform of the Law.

Assembly Bill No. 240—An Act making an appropriation to pay the deficiency in the appropriation to provide for the erection and operation of rock-crushing plants at the State prisons, etc.

Assembly Bill No. 243—An Act making an appropriation to pay the deficiency in the appropriation for payment of the expenses incurred in calling the National Guard of California into service, by order of the Governor, in 1894.

Assembly Bill No. 236—An Act making an appropriation to pay the deficiency in the appropriation for traveling expenses of the Board of Railroad Commissioners.

Assembly Bill No 249—An Act making an appropriation to pay the claim of Dennis Jordan, for balance due for work done on the State Prison at Folsom.

And now report the same back to the House, and recommend that the same do pass.

COOMBS, Chairman.

Adopted.

Also:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 209—An Act making an appropriation to pay the claim of R J Broughton, for transportation of prisoners—and now report the same back to the House, and ask leave to sit again.

COOMBS, Chairman.

Adopted.

Mr. Cutter moved that Assembly Bills Nos. 208, 210, 211, 212, 214, 216, 217, 218, 219, 220, 221, 222, 223, 226, 228, 230, 231, 235, 237, 238, 239, 240, 243, 249, and 236 be considered engrossed and placed on third-reading file.

So ordered.

Assembly Bill No. 208—An Act making an appropriation to pay the deficiency in the appropriation for support of Southern California Hospital for Insane and Inebriates, 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 Aldridge, Arnerich, Austin, Belshaw, Burnett, Caminetti, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Foreman, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Keables, Landsborough, Malcolm, Mead, Melick, McCandlish, McClellan, McLaurin, North of Yolo, Robinson, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, and Mr. Speaker—42.

NOES—Messrs Anderson and Keegan—2.

Title read and approved.

Assembly Bill No. 210—An Act making an appropriation to pay the deficiency in the appropriation for transportation of prisoners, for payment of the claim of W. C. Conroy, in conveying children to Whittier.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Arnerich, Austin, Belshaw, Bettman, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Foreman, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Keables, Landsborough, Malcolm, Mead, Melick, McCandlish, McClellan, McLaurin, North of Yolo, Robinson, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, and Mr. Speaker—44

NOES—Mr. Anderson—1.

Title read and approved.

Assembly Bill No. 211—An Act making an appropriation to pay the deficiency in the appropriation for pay of salaries of agents or assistants, for traveling expenses, and for other contingent expenses of the Bureau of Labor Statistics, as authorized by Statutes of 1889, page 7.

Read third time.

The question being on the final passage of the bill.

The roll was called, and Assembly Bill No. 211 passed by the following vote:

AYES—Messrs. Aldridge, Arnerich, Austin, Belshaw, Bettman, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Foreman, Goff, Goodhue, Guy, Harris, Henry, Houghton, Keables, Mahoney, Malcolm, Mead, Melick, McClellan, McLaurin, North of Yolo, Robinson, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, and Mr Speaker—42.

NOES—Messrs. Anderson and Hudson—2.

Title read and approved.

At nine o'clock and forty-five minutes P. M., the Speaker called Mr. Dibble to the chair.

Assembly Bill No. 212—An Act making an appropriation to pay the claim of Charles Phipps, for services rendered as Assistant Secretary of the State Board of Examiners from February 15, 1891, to March 21, 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 Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Foreman, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Keables, Lacy, Landsborough, Mahoney, Mead, McClellan, North of Yolo, Robinson, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, and Mr. Speaker—43.

NOES—Messrs. Anderson, Hudson, and Melick—3.

Title read and approved.

Assembly Bill No. 214—An Act making an appropriation to pay the deficiency incurred by calling the National Guard of California into service, by order of the Governor, in 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. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Cross, Cutter, Dennery, Dibble, Dryden, Elliott, Foreman, Goff, Goodhue, Guy, Harris, Henry, Houghton, Keables, Lacy, Landsborough, Mahoney, Malcolm, Mead, Melick, McClellan, McLaurin, North of Yolo, Robinson, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Valentine, Vosburg, and Mr. Speaker—44

NOES—None.

Title read and approved.

Assembly Bill No. 216—An Act making an appropriation to pay the deficiency in the appropriation for postage and contingent expenses of the Clerk of the Supreme Court 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 Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Foreman, Goff, Goodhue, Guy, Harris, Henry, Houghton, Keables, Lacy, Landsborough, Mahoney, Malcolm, Mead, Mulcrevy, McClellan, McLaurin, North of

Yolo, Robinson, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, and Vosburg—46.
NOES—Mr. Melick—1.

Title read and approved.

Assembly Bill No. 217—An Act making an appropriation to pay the claims of the State Board of Health, for traveling 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. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Foreman, Goff, Goodhue, Guy, Harris, Henry, Hill, Keables, Lacy, Landsborough, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McLaurin, North of Yolo, Robinson, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Valentine, and Vosburg—47.
NOES—None.

Title read and approved.

Assembly Bill No. 218—An Act making an appropriation to pay the deficiency in the appropriation for pay of stenographer for the State Board of Railroad Commissioners, for services rendered by Frank H. Lombard.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Burnett, Burnham, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Foreman, Goff, Goodhue, Guy, Harris, Henry, Hill, Keables, Keegan, Lacy, Landsborough, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McLaurin, North of Yolo, Robinson, Shanahan, Soward, Stansell, Strain, Valentine, and Vosburg—44.
NOES—None.

Title read and approved.

Assembly Bill No. 219—An Act making an appropriation to pay the deficiency in the appropriation for the forestry stations 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. Aldridge, Allen, Arnerich, Austin, Bettman, Boone, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Cross, Dibble, Dolan, Dryden, Elliott, Foreman, Goff, Goodhue, Guy, Harris, Henry, Hill, Keables, Keegan, Lacy, Landsborough, Mahoney, Malcolm, Mead, Mulcrevy, McCandlish, McLaurin, North of Yolo, Robinson, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, and Vosburg—43.
NOES—Messrs. Melick and McClellan—2.

Title read and approved.

Assembly Bill No. 220—An Act making an appropriation to pay the deficiency in the appropriation for care of State Burial Grounds, for services rendered by W. C. Farnsworth.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Arnerich, Austin, Belshaw, Boone, Burnett, Burham, Caminetti, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Foreman, Goff, Goodhue, Guy, Harris, Henry, Hill, Keables, Keegan, Lacy, Landsborough, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McLaurin, North of Yolo, Robinson, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, and Vosburg—45.
NOES—Mr. Allen—1.

Title read and approved.

Assembly Bill No. 221—An Act making an appropriation to pay the deficiency in the appropriation for the arrest and conviction of highway robbers, to pay the claim of George A. Parker, for arrest and conviction of Ed Ward.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Bettman, Boone, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Foreman, Goff, Goodhue, Guy, Harris, Jones, Keegan, Lacy, Landsborough, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Yolo, Robinson, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, and Vosburg—43.

NOES—None.

Title read and approved.

Assembly Bill No. 222—An Act making an appropriation to pay the deficiency in the appropriation for the arrest and conviction of highway robbers, to pay the claim of George A. Parker.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Foreman, Goff, Goodhue, Guy, Harris, Henry, Hill, Keables, Keegan, Lacy, Landsborough, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Yolo, Robinson, Shanahan, Soward, Stansell, Strain, and Valentine—46.

NOES—None.

Title read and approved.

Assembly Bill No. 223—An Act making an appropriation to pay the claim of Edwin F. Ingles, for the arrest of F. J. Morgan for attempted highway robbery.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Boone, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Foreman, Goff, Goodhue, Guy, Henry, Hill, Jones, Keegan, Lacy, Landsborough, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McLaurin, North of Yolo, Robinson, Sims, Shanahan, Soward, Stansell, Toland, Valentine, and Vosburg—42.

NOES—None.

Title read and approved.

Assembly Bill No. 226—An Act making an appropriation to pay the claim of Wm. Macdonald, for expenses incurred in the funeral of Governor Jones, of Nevada.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Foreman, Goff, Goodhue, Guy, Harris, Henry, Hill, Jones, Keables, Keegan, Lacy, Landsborough, Mahoney, Mead, Melick, Mulcrevy, McLaurin, North of Yolo, Robinson, Sims, Shanahan, Soward, Stansell, Toland, Valentine, and Vosburg—42.

NOES—None.

Title read and approved.

Assembly Bill No. 228—An Act making an appropriation to pay the claim of Earl H. Daggett, for the arrest of Daniel McCall for attempted highway robbery.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Foreman, Goff, Goodhue, Guy, Harris, Henry, Jones, Keables, Keegan, Lacy, Landsborough, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Yolo, Robinson, Sims, Shanahan, Soward, Stansell, Strain, Toland, and Valentine—43.

NOES—None.

Title read and approved.

Assembly Bill No. 230—An Act making an appropriation for the payment of the claim of A. J. Bogard, administrator of the estate of J. J. Bogard, deceased, for the arrest of Samuel McGuire for attempted highway robbery.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Arnerich, Belshaw, Bettman, Boone, Burnett, Burnham, Caminetti, Cartwright, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Foreman, Goff, Goodhue, Guy, Harris, Henry, Hill, Jones, Keables, Lacy, Landsborough, Mead, Melick, Mulcrevy, McClellan, McLaurin, North of Yolo, Robinson, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, and Waymire—42.

NOES—None.

Title read and approved.

Assembly Bill No. 231—An Act making an appropriation to pay the claim of W. N. Hendricks, for the arrest of John Keener for attempted highway robbery.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Bettman, Burnett, Burnham, Caminetti, Cross, Cutter, Dennery, Dibble, Dolan, Dryden, Elliott, Foreman, Goff, Guy, Harris, Henry, Hill, Jones, Keables, Keegan, Lacy, Landsborough, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Yolo, Robinson, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, and Waymire—44.

NOES—None.

Title read and approved.

Assembly Bill No. 235—An Act making an appropriation to pay the claim of Cassasa's First Regiment Band, for music furnished for the funerals of the late Generals Dimond and McComb.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Arnerich, Austin, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Foreman, Goff, Goodhue, Guy, Harris, Hill, Jones, Keables, Keegan, Lacy, Landsborough, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McLaurin, North of Yolo, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, and Waymire—42.

NOES—None.

Title read and approved.

Assembly Bill No. 237—An Act making an appropriation to pay the claim of W. J. Deater, for publishing notice and summons in foreclosing interest of delinquent purchasers of State school 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. Aldridge, Austin, Belshaw, Bettman, Burnett, Burnham, Caminetti, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Goff, Goodhue, Guy, Harris, Henry, Hill, Jones, Keables, Keegan, Lacy, Landsborough, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, North of Yolo, Robinson, Sanford, Sims, Soward, Stansell, Strain, Toland, Valentine, Vosburg, and Waymire—43.
NOES—None

Title read and approved.

Assembly Bill No. 238—An Act making an appropriation to pay the claim of Geo. A. Sturtevant, for costs of suits in foreclosing delinquent purchasers of State school 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 Aldridge, Arnerich, Austin, Belshaw, Bettman, Burnett, Burnham, Caminetti, Chynoweth, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Foreman, Goff, Goodhue, Guy, Harris, Henry, Jones, Keables, Lacy, Landsborough, Mahoney, Melick, McCandlish, McClellan, McLaurin, North of Yolo, Robinson, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Valentine, Vosburg, and Waymire—41.
NOES—None.

Title read and approved.

Assembly Bill No. 239—An Act making an appropriation to pay expenses incurred by the Commission for the Revision and Reform of the Law.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Burnett, Burnham, Caminetti, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Elliott, Foreman, Goff, Goodhue, Guy, Harris, Henry, Jones, Keables, Lacy, Landsborough, Mahoney, Melick, Mulcrevy, McClellan, McLaurin, North of Yolo, Robinson, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, and Waymire—42.
NOES—None.

Title read and approved.

Assembly Bill No. 240—An Act making an appropriation to pay the deficiency in the appropriation to provide for the erection and operation of rock-crushing plants at the State prisons, etc.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Arnerich, Austin, Belshaw, Bettman, Burnett, Burnham, Caminetti, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Foreman, Goff, Goodhue, Guy, Henry, Jones, Keables, Keegan, Lacy, Landsborough, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McLaurin, North of Yolo, Robinson, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Valentine, Vosburg, and Waymire—45.
NOES—None.

Title read and approved.

Assembly Bill No. 243—An Act making an appropriation to pay the deficiency in the appropriation for payment of expenses incurred in calling the National Guard of California into service, by order of the Governor, in 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. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan,

Dryden, Foreman, Goff, Goodhue, Guy, Harris, Henry, Jones, Keables, Lacy, Landsborough, Malcolm, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Yolo, Robinson, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Valentine, Vosburg, and Waymire—45.

NOES—None.

Title read and approved.

Mr. Cutter moved that Assembly Bill No. 249 be made the special order for to-morrow morning, immediately after reading the Journal.

Pending the consideration of Mr. Cutter's motion, Mr. Caminetti moved that the Assembly do now adjourn.

The ayes and noes were demanded by Messrs. Caminetti, Chynoweth, and Lacy.

The roll was called, and Mr. Caminetti's motion lost by the following vote:

AYES—Messrs. Aldridge, Allen, Caminetti, Chynoweth, Cross, Dolan, Dryden, Elliott, Foreman, Lacy, Mead, McCandlish, McClellan, Robinson, and Toland—15.

NOES—Messrs. Austin, Belshaw, Bettman, Burnett, Burnham, Cutter, Damon, Dennery, Dibble, Goff, Goodhue, Guy, Harris, Henry, Hudson, Jones, Keables, Keegan, Landsborough, Leavitt, Malcolm, Melick, Mulcrevy, McLaurin, North of Alameda, North of Yolo, Sims, Shanahan, Soward, Stansell, Strain, Vosburg, Waymire, and Mr. Speaker—34.

PREVIOUS QUESTION.

Mr. Dennery moved the previous question, seconded by Mr. Cutter.

The question being, "Shall the main question be now put?"

So ordered.

The question now recurring upon the motion of Mr. Cutter, the same was adopted.

Assembly Bill No. 236—An Act making an appropriation to pay the deficiency in the appropriation for traveling expenses of the Board of Railroad 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. Aldridge, Allen, Austin, Bettman, Burnett, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Goff, Goodhue, Guy, Harris, Henry, Hudson, Jones, Keables, Keegan, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McLaurin, North of Alameda, North of Yolo, Robinson, Sanford, Sims, Shanahan, Soward, Stansell, Toland, Vosburg, and Waymire—47.

NOES—Mr. Strain—1.

Title read and approved.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 9, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Saturday, February 6th, was approved as corrected.

LEAVE OF ABSENCE.

Mr. Elliott was excused for absence Monday forenoon, February 8th.

RECONSIDERATION.

Mr. Belshaw moved the vote whereby the Journal of Wednesday, February 3d, was approved, be reconsidered.

So ordered.

Said Journal was corrected and approved.

Mr. Dryden moved that the Committee on Corporations be instructed to report Assembly Joint Resolution No. 21 back to the House immediately.

So ordered.

Mr. Guy moved that the rules be suspended and Assembly Bill No. 65 made special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

Mr. Power, of Placer, moved that Assembly Bill No. 768 be recalled from the Committee on Claims and re-referred to the Committee on Commissions, Retrenchment, and Public Expenditures.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 622—An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State Home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State.

Also: Assembly Bill No. 738—An Act to amend Sections 237, 245, 246, and 268 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

AUSTIN, Chairman.

SPECIAL ORDERS.

Assembly Bill No. 742—An Act to amend 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 directions in the discharge of his duties as such commissioner," approved March 24, 1893.

Read second time.

Mr. Soward moved that the Assembly do now resolve itself into Committee of the Whole, for the purpose of considering Assembly Bill No. 742.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 742 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 742—An Act to amend 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 directions in the discharge of his duties as such commissioner," approved March 24, 1893—and now report the same back to the House, and recommend that the same do pass.

COOMBS, Chairman.

Mr. Soward moved that Assembly Bill No. 742 be considered engrossed and made special order for next Thursday, immediately after reading of the Journal.

So ordered.

Assembly Bill No. 738—An Act to amend Sections 237, 245, 246, and 268 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 third time.

Mr. Shanahan moved that Assembly Bill No. 738 be referred to a select committee of one, for the purpose of preparing a substitute therefor.

PREVIOUS QUESTION.

Pending the consideration of the motion offered by Mr. Shanahan, the previous question was demanded by Messrs. North, of Alameda, Leavitt, and Wright.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the appointment of a select committee of one to prepare a substitute for Assembly Bill No. 738.

The ayes and noes were demanded by Messrs. Shanahan, Caminetti, and Bridgford.

The roll was called, and the motion of Mr. Shanahan lost by the following vote:

AYES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dryden, Elliott, Emmons, Foreman, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McLaurin, Sanford, Shanahan, and Toland—24.

NOES—Messrs. Anderson, Arnerich, Austin, Belshaw, Burnham, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Goff, Goodhue, Guy, Harris, Henry, Hudson, Jones, Keables, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—40.

The question being on the final passage of Assembly Bill No. 738.

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

AYES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bridgford, Burnett, Burnham, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Ennis, Foreman, Goff, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Jones, Keables, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Sanford, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—52.

NOES—Messrs. Aldridge, Allen, Boone, Caminetti, Elliott, Lacy, Mahoney, McClellan, and Shanahan—9.

Title read and approved.

Mr. Belshaw moved that Assembly Bill No. 738 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 249—An Act making an appropriation to pay the claim of Dennis Jordan, for balance due for work done on the State Prison at Folsom.

Read third time.

PREVIOUS QUESTION.

Pending the consideration, the previous question was moved by Messrs. North, of Alameda, Wright, and Leavitt.

So ordered.

Mr. North, of Alameda, moved the time of recess be extended ten minutes.

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. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Bridgford, Burnett, Burnham, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Ennis, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Houghton, Jones, Keables, Keegan, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Power of San Francisco, Price, Robinson, Ryan, Sims, Shanahan, Soward, Strain, Valentine, Vosburg, and Waymire—51.

NOES—Messrs Boone, Caminetti, Chynoweth, Foreman, Hudson, Power of Placer, Toland, and Mr. Speaker—8.

Title read and approved.

Mr. Guy moved that the Journal of yesterday be corrected, on page 15, to show that Mr. Boone voted aye instead of no on making certain bills cases of urgency.

So ordered.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Boone: Assembly Bill No. 795—An Act to amend an Act entitled "An Act entitled an Act to prevent the sale of short-weight rolls of butter," approved March 11, 1893.

Read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 796—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 bonds.

Read first time, and referred to Committee on Irrigation.

By Mr. Shanahan: Assembly Bill No. 797—An Act to amend Section 1238 of the Penal Code, relating to appeals by the people.

Read first time, and referred to Committee on Judiciary.

By Mr. Hudson: Assembly Bill No. 798—An Act to pay the claim of the County of Monterey, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Dibble: Assembly Bill No. 799—An Act to amend Section 138 of the Civil Code of the State of California, providing for the custody, care, and education of minor children.

Read first time, and referred to Committee on Judiciary.

By Mr. Lindenberger: Assembly Bill No. 800—An Act providing for the publication of the laws in the newspapers.

Read first time, and referred to Committee on Judiciary.

By Mr. Bettman: Assembly Bill No. 801—An Act to amend Section 855 of an Act entitled Municipal Corporation Bill—"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. Keables: Assembly Bill No. 802—An Act entitled "An Act to amend Section 3094 of the Political Code," relating to the surrender of dead bodies of persons, to be buried at the public expense, to physicians and surgeons, for anatomical purposes.

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

By Mr. Damon: Assembly Bill No. 803—An Act to create a commission, and name the commissioners thereof, who shall examine the various voting machines, and report thereon to the Legislature of California.

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

By Mr. Soward: Assembly Bill No. 804—An Act to amend Section 1108 of the Penal Code, relating to proof required upon a trial for the crime of abortion, seduction, and seduction under promise of marriage.

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

By Mr. Valentine: Assembly Bill No. 805—An Act exempting honorably discharged soldiers, sailors, and marines of the United States, who are disabled, from payment of license taxes for hawking, peddling, and vending, and providing for the issuance to them of certificates declaring such discharge and such disability, in the several counties of this State.

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

By Mr. Mulcrevy: Assembly Bill No. 806—An Act to amend Section 772 of an Act entitled "An Act to establish a Penal Code," approved March 11, 1872.

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

By Mr. Dryden: Assembly Bill No. 807—An Act to govern the use of all commutation tickets sold by transportation companies for passage over their lines.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 808—An Act to regulate the practice of architecture.

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

By Mr. Elliott: Assembly Bill No. 809—An Act to amend Section 170 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualification of Judges, as amended by an Act approved March 23, 1893.

Read first time, and referred to Committee on Judiciary.

By Mr. Melick: Assembly Bill No. 810—An Act to amend Section 3 of an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, providing for the submission of the question of reincorporation of such corporations at special elections.

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

By Mr. Cutter: Assembly Bill No. 811—An Act to amend Section 328 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the time of commencing actions.

Read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON MANUFACTURES AND INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1897.

MR. SPEAKER: Your Committee on Manufactures and Internal Improvements, to whom was referred Assembly Bill No 623—An Act to amend Sections 350, 351, and 354 of the Penal Code of the State of California, relating to the punishment of counterfeiting trademarks, and the sale of goods bearing counterfeited trademarks, and the infringement of the rights of trademarks—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HENRY, Chairman.

Assembly Bill No. 623—An Act to amend Sections 350, 351, and 354 of the Penal Code of the State of California, relating to the punishment of counterfeiting trademarks, and the sale of goods bearing counterfeited trademarks, and other infringements of the rights of trademarks.

Read first time.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 164—An Act to amend Section 2181 of the Civil Code of California, relating to luggage.

Also: Assembly Bill No 306—An Act to provide for the management and operation of railroads above a certain elevation.

And presented the same to the Governor on this day, at two o'clock and fifty-five minutes P. M.

FONTANA, Chairman.

Mr. Vosburg moved that Assembly Bill No. 640 be ordered from Committee on State Prisons and Reformatory Institutions and re-referred to Committee on Municipal Corporations.

So ordered.

RECESS.

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

REASSEMBLED.

The Assembly reassembled at two o'clock and ten minutes P. M.
Speaker Coombs in the chair.
Quorum present.

SPECIAL ORDERS.

Assembly Bill No. 44—An Act to establish and support a Department of Labor.

Read second time.

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. 44.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.
Assembly Bill No. 44 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 44—An Act to establish and support a Department of Labor—and now report the same to the House, and recommend that the same be re-referred to the Committee on Labor and Capital.

COOMBS, Chairman.

Adopted.

Assembly Bill No. 44 ordered re-referred to Committee on Labor and Capital, and to retain its place on file.

Mr. Leavitt moved that the rules be suspended, and the Assembly take up the Governor's message.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 9, 1897.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 261, 164, and 306.

JAMES H. BUDD, Governor.

Pending the reading of the Governor's message relative to Assembly Bill No. 263, Mr. Leavitt moved that the further reading be dispensed with.

So ordered.

Mr. Leavitt moved that the consideration of the Governor's message relative to Assembly Bill No. 263 be made a special order for next Thursday at two o'clock P. M.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 9, 1897.

To the honorable Assembly of the State of California

GENTLEMEN: I return herewith Assembly Bill No. 263 without my approval, and with my objections thereto. The title of the proposed Act is "An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year," while it is intended that it shall serve the purpose of a deficiency appropriation Under the provisions of the Act of March 23, 1893 (Statutes 1893, page 285), "No officer or employé in the service of the State shall have power to create any deficiency in excess of any appropriation made by law, except in case of actual necessity, and only then upon the written authority first obtained of the Governor, Secretary of State, and Attorney-General, and any indebtedness attempted to be created against the State in violation of the provisions of this Act shall be absolutely null and void, and shall not be allowed by the State Board of Examiners." Section 5 of the General Appropriation Act of 1895 (Statutes 1895, page 289) is more comprehensive, and provides that no such attempted indebtedness shall be paid out of any State appropriations, and that the officer who creates any such indebtedness without procuring the proper written consent shall be liable therefor upon his official bond

The Superintendent of State Printing has not complied with the provisions of either of the above Acts, has not made to the State Board of Examiners the required showing of "actual necessity," nor has he obtained a certificate "in writing, duly signed by every member of said board, of the unavoidable necessity of such expenditure"

By letter to this office, of date February 3, 1897, Mr. Johnston, the Superintendent, intimates that after January 18, 1897, a deficiency existed in the appropriation for the support of his office, his language being: "I desire to say that up to the 18th of Janu-"ary there was no deficiency in the appropriation for the Printing Office, and therefore "there could be no application made to the Board of Examiners, except for a contem-"plated deficiency, which might or might not occur, although in all probability the "amount of work that would devolve upon this office by reason of the Legislature being "in session would require the expenditure of more money than would be available." Notwithstanding this statement, long prior to the date of this letter, Mr. Johnston had made a written application to the State Board of Examiners for a written recommendation to the Legislature for the appropriation of $75,000 asked for in the bill under discussion. When I sent for Mr. Johnston, requesting that he should come before the board and be questioned as to the necessity for the appropriation, on January 11th, he withdrew his application, and has not since appeared before the board, asked for, nor obtained the authority or consent of the board required by the Acts of 1893 and 1895, above cited.

Assembly Bill No. 263, if it received my approval, would not amend or repeal these Acts, nor does it attempt in words so to do, and claims or indebtednesses attempted to be contracted in violation of them would not be payable out of the proposed appropriation, nor would future indebtedness attempted to be incurred be so payable until the requirements of the Acts of 1893 and 1895 had been met. If it is proposed to exempt the Superintendent of State Printing from the provisions of these Acts, to relieve him from his present legal obligation to obtain the written consent of the entire Board of Examiners before he shall incur a deficiency, to relieve him from the personal liability provided for in the Act of 1895, and to attempt to validate the indebtedness incurred in violation of these Acts, then the proposed Act is subject to the fatal constitutional objection that it embraces more than "one subject, which subject shall be expressed in its title" If it is to meet a deficiency in an appropriation, if it is to serve as a relief bill for the Superintendent of State Printing, and if it attempts to validate indebtedness which the law states shall be invalid, it unquestionably relates to more than one subject to which proper expression is not given, and which is not wise legislation. If my contention is true, and the proposed Act is intended to effect a deficiency appropriation, it will fail to accomplish its purpose of paying deficiencies already incurred, or which will be incurred until the provisions of existing laws relating to deficiencies are complied with by the officer at whose instance it was passed. If it is not intended as a deficiency within the meaning of the Acts of 1893 and 1895, or if it is attempted to exempt the Superintendent of State Printing and the indebtedness contracted by him from the provisions of these Acts, this can only be accomplished by their amendment or repeal, which is not effected or attempted. In either case the funds attempted to be appropriated by this bill would not be available for the purpose intended

This is not a merely technical objection, but goes to the very integrity of our financial safeguards. If the Superintendent of State Printing shall be exempted from the operation of laws which experience has evolved, and which have proven wise and economic, who shall be bound by them? Why discriminate between the different departments of the State Government?

But I object to this bill on other than legal grounds. Two years ago an effort was made to pay off all existing indebtedness, and to place our institutions and affairs upon a cash basis. I thought at that time that the usual appropriation of $200,000, or less, would be sufficient for the support of the State Printing Office for the next two fiscal years. I was aware of the practice of Superintendents to apply for deficiencies during legislative years, when it was almost impossible to refuse them when they have

exhausted their appropriation, and I sent for the Superintendent of State Printing, and upon his personal assurance that he would operate his office within the proposed appropriation, that he would neither allow nor create a deficiency, and with the understanding that I would not approve one, I made no objection to the allowance of $250,000 for the support of his office, and gave it my reluctant approval, it being only the second time when such a sum had been allowed for the support of that institution.

Early in the forty-seventh fiscal year I became impressed with the idea that extravagance existed in the management and conduct of the State Printing Office, which it was my duty to endeavor to reduce or prevent The law explicitly requires the Superintendent of State Printing to purchase only paper by contract, leaving a large number of articles and supplies to be purchased by him as he may see fit. A comparison of the prices he was paying for such articles and supplies, with the prices paid by other departments of the State which purchased under contract, and also with his different prices to different dealers, showed that he was paying in many instances a considerably higher price than was paid by the persons purchasing by contract. February 26, 1895, the State Board of Examiners unanimously authorized me to appoint a printing expert, under Section 679 of the Political Code, the Attorney-General, Secretary of State, and the Governor being present; and in the July following, learning that the force of the Printing Office had been largely increased, I appointed Mr. Fred A. Severy as such expert The salary of this office was but $50 per month, its duties then doubtful, and Mr Severy resigned as expert, and accepted a position under Mr Johnston. The increase continued until the payroll for the last two weeks of October amounted to about $9,000, as against less than $4,000 for the highest payroll of the June preceding Immediately after the city election of 1895, it decreased rapidly, the number of employés being reduced from 195 on the last payroll in October to 113 on the first payroll in December. After this date the roll increased gradually until just prior to the end of the forty-seventh fiscal year.

In July, 1896, the State Board of Examiners, on the usual affidavit, allowed a payroll covering July 1st to July 18th, and learning later that during a portion of that time the State Printing Office had been closed, and that the employés had performed no service, at the meeting of the board held July 23, 1896, Mr. Markley and the Governor being present, we considered the matter, and following the resolution of February 26, 1895, Mr. C. M. Harrison was elected as a printing expert. Attached to the claim which the Superintendent of State Printing presented for the dates from July 1st to July 18th, was a statement that "the items constituting the claims herein were incurred in the "manner and on the dates as above shown, and that the services herein mentioned were "actually rendered." This statement was signed and sworn to. At the next meeting of the board, the Superintendent of State Printing, on invitation, appeared before the board and admitted the closing of the State Printing Office for about twelve days during the time between July 1st and 18th, and gave as his reason for the presentation of a claim for services which had not been rendered, that an equal amount of service had been performed by the persons on the roll during the legislative session of 1895, in working overtime for which they had not been paid. The payrolls of 1895 being produced, showed that some of the persons whose names appeared upon this roll had already been paid for overtime in 1895, and that one of them was not on the payroll during the said legislative session. In explanation of this latter circumstance the Superintendent said in effect that "that person would have to work it out in overtime during the coming Legislature" At the same meeting, but at a later hour, Mr Johnston offered a further explanation, saying that the claim was put in to cover the time of a vacation, which it was his practice to allow his regular employés, although *all* of the persons whose names appeared upon the objected-to roll were employed by the day.

Before the selection of Mr. Harrison as printing expert, the Attorney-General had given his written opinion to the Controller in Severy's case that such appointment was legal Immediately upon his appointment the question was raised as to his powers and duties, and I communicated with the Attorney-General, saying among other things, the following:

"I am unwilling in the future to pass on the claims of the State Printer until they "have been referred to some person for a thorough investigation as to their correctness, "or evidence be taken independent of the ordinary affidavit. Our secretary not being "a printer, cannot examine these matters properly. It was for this reason that I wrote "asking your views as to the expert's duties, but have received no answer thereto If "in your judgment his duties have been abolished, I will accept the situation, but, "unless we have the right to appoint an expert, both should urge the next Legislature "to provide for one."

On August 19th, at a meeting of the State Board of Examiners, Mr. Harrison appeared before it and requested permission to examine the payroll of the State Printing Office The permission was denied, and he made no further effort to perform the duties of printing expert.

Since that time the members of the Board of Examiners, other than myself, have approved the claims or payrolls of the Superintendent of State Printing. Not having a technical knowledge of the details of such an institution, and being convinced that unnecessary extravagance existed in the management of certain departments of the office, I have been unwilling to assume the responsibility of sanctioning the same.

The Attorney-General and the Secretary of State have always been willing to join in a personal examination of the State Printing Office, and to this arrangement Mr. Johnston has readily agreed As no member of the board, nor the secretary, possesses

any special or technical knowledge sufficient to give other than a superficial or imperfect examination of this office, I have deferred action until the meeting of your honorable body, hoping for a change in the laws regulating the State's printing.

I have no personal feeling in this matter, and in my recent message to the Assembly and Senate recommended that changes be made in our system of public printing, to take effect at the expiration of the term of the incumbent In view of the occurrences since the assembling of the Legislature, I urge that some change take place at once. While the Legislature was considering my message, I deemed it for the best interests of all parties and the State that but sufficient money to pay for State printing during the present session of the Legislature should be appropriated. I am now more strongly of that opinion

Prior to January 11th last the Superintendent of State Printing filed with the Board of Examiners his application for a recommendation to the Legislature for an appropriation of $75,000. At the meeting of January 11, 1897, he was sent for, that he might make the showing required by the Acts above mentioned, and be examined as to the necessity for such a deficiency; whereupon he appeared, offered no proof, but withdrew his application—and the next day the bill under consideration was introduced.

My information is that Mr. Johnston claims that the work entailed upon him by the newly created Bureau of Highways, the State Dairy Bureau, the Code Commission, and the litigation of the Railroad Commissioners, was responsible for the exhaustion of his funds, and necessitated the deficiency from which he seeks relief. His recent official report to me, dated September 15, 1896, shows that for the fiscal year ending June 30, 1896, he had expended of the appropriation for the support of his office $146,000 59, or much more than one half of his total appropriation. In addition, he had used of stock on hand $12,085 76; making a total expenditure for that year of $158,086 35. When it is remembered that the legislative printing done that year for the thirty-first session amounted to only $7,890 75, and that it was not the year upon which the biennial reports of the State officers and institutions were printed, the fact is sufficient to put the most indifferent upon inquiry The State Printer's explanation that it was printing for the new bodies which caused the deficiency, loses its force when we find that the charges for printing during the forty-seventh fiscal year for the Code Commission, the Bureau of Highways, and the Dairy Bureau aggregated less than $550. The heavy expenditure for the forty-seventh fiscal year created the deficiency in the forty-eighth

Section 531 of the Political Code requires the Superintendent of State Printing to make a yearly report to the Governor in writing, "embracing a record of the complete "transactions of his office for the preceding fiscal year, which report shall show in "detail all the items of expense of the office, including repairs and the purchase of "materials of all kinds."

Under Section 6 of Article V of the Constitution, the Governor is authorized "to "require information in writing from the officers of the executive department, upon any "subject relating to the duties of their respective offices."

When application was made to the Board of Examiners for a recommendation to the Legislature for an appropriation, and later, after such application had been withdrawn, and the bill under discussion had been introduced in the Assembly, I endeavored by every means to secure a statement from the Superintendent of State Printing, or a proper showing of the necessity for the deficiency, or of the reasons why this bill should become a law. His report is incomplete and unsatisfactory. At two meetings of the board succeeding the introduction of Assembly Bill No 263, Mr. Johnston was notified of such meetings, and requested to appear, and he failed to do so. I caused letters to be written to Mr. Johnston soliciting information bearing upon this matter, and not contained in his report, and I failed to secure what was required, the excuse being lack of time.

On February 2, 1897, I personally communicated with him, asking for his reasons for not complying with the requirements of the Act of 1893, and why the pending bill should become a law. I have exhausted my legal and constitutional rights in an endeavor to secure the facts necessary to enable me to act upon this matter with the proper degree of knowledge, and not being met by the explanation, I return the bill to you, with my objections thereto, for further action, and I append the correspondence between Mr Johnston and this office.

I ask your attention to the reports of the Superintendent of State Printing, where we would expect to find a proper and thorough account of the expenditures of the funds for the support of his office

For the forty-sixth fiscal year Mr Johnston expended and charges himself with $162,370 13 made up of pay of employés, the purchase of material, permanent improvements, and like items; and against this sum he credits himself with printing to a like amount, his accounts for that year balancing. (Pages 5, 10, 11, and 14, Report, 1895)

The report for the forty-seventh fiscal year shows a very different state of facts This was non-legislative year, and Mr Johnston expended for employés, materials, improvements, and like purposes $146,000 59, and credits himself with only $82,257 82 of printing done for all the departments of the State government. If to this we add the $4,558 20 charged for lithographing, which may not be included in the charges for printing against the departments, and the $7,890 75 for legislative printing, which both reports say is chargeable to the preceding year, the total credit amounts to $94,706 75. This leaves a balance of $51,293 84 unaccounted for. If we credit Mr. Johnston with repairs, improvements, and permanent material, which would not be according to *his system* (pages 5, 10 to 14 of his Report, 1895), a balance of $39,294 96 yet remains to be accounted for.

Even if he claims a credit for sums expended in permanent improvements and materials, which he had not done in previous reports, and the cost of which he had charged up to the printing done, he used during this year over $12,000 worth of stock, with which he should be charged

We have, according to his own report, a balance of $51,293 84 unaccounted for, which, with the $12,085 76 of stock used, makes a total of $63.379 60, for which no account is made by the Superintendent's report. I have no doubt that Mr Johnston will be able to satisfactorily explain this matter, but as yet he has not done so.

In this connection I would point out that the department and legislative printing for the forty-seventh fiscal year amounted to $90.148 65, while against this work was charged $100.898 15 paid for pay of employés alone, or $10,749 50 more charged for wages than the entire work done, not counting the materials or supplies used.

Even at these figures, in which the amount charged for printing does not nearly equal the cost of it, I am convinced that such charges are excessive, and that if the work done was charged at the rate at which it could be procured from private concerns, the disproportion would be much greater.

The increased business and larger number of documents required for different offices has caused in some instances an increase in their printing expenses. Having no positive information in other cases, I have taken my own office as an example, and if the charges in other departments are as excessive as they have been in this instance, the charges made for work—not to speak of the cost of the work—is out of all proportion to what the same class of work could be done for by private contract, or individual enterprise. The work I have had done includes the binding of a complete set of the reports of all the officers and institutions of the State from the beginning of its history. This is an invaluable collection, and remains for the permanent use of the Governor s office. The remaining work done for this office has been, in my judgment, necessary. I submitted a statement of the work done for my office, not including the binding of the books above mentioned, for which I was charged $4,625 85 by the State Printing Office, to an expert printer connected with one of the leading San Francisco printing establishments. The expert was employed by Mr James H. Barry, of the "Star," and he was furnished with the necessary description and samples for making an estimate of the cost of the work. He was furnished no information as to the prices charged by the Superintendent of State Printing, and where no sample of the work was supplied I have allowed Mr Johnston's prices. For the work upon which I asked for estimates, Mr. Johnston had charged me $4,625 85. The amount at which the San Francisco printer estimated it could be done was $2,013 30, or considerably less than one-half of the State Office. I will not attempt to locate the reason for such excessive cost. That abuses exist, there can be no question.

On June 10, 1895, the State Board of Education passed a resolution directing the Superintendent of State Printing to print no more copies of a certain Grammar until the further order of the board The State Board of Education is a separate constitutional body, with full power and authority to adopt such resolution, and the Superintendent was in law bound by it. The reason of the resolution concerned only the board, and the responsibility rested exclusively with it. But notwithstanding this resolution, by which he should have been legally bound, and in violation of it, ten thousand copies of this Grammar were printed after September, 1895. A new Grammar has since been issued, but few of the old Grammars are being called for, and there were on hand, February 1, 1897, seven thousand six hundred and nineteen copies of this book, according to the official report of the Superintendent of State Printing for the month of January, 1897.

During the time from November, 1894, to December, 1896, coal of the character and grade used at the State Printing Office was being purchased under contract, for the use of the Engineer's department at the Capitol building, at prices ranging from $9 25 to $9 35 per ton During this time the Superintendent of State Printing was purchasing coal of no greater value, in the open market, at prices ranging from $10 to $11 per ton. In May, 1896, the Board of Examiners insisted that the Superintendent should advertise for coal, in addition to other supplies. Bids were received and opened in his office June 12, 1896, he being present and acting with the board, to award the contract, he being a member of it for that purpose. The contract was awarded the next day, to take effect July 1st. The person from whom the coal had previously been purchased did not get the contract, it being awarded another party for $9 04 per ton. The day the bids were opened Mr. Johnston ordered seventy-five tons of coal from the party with whom he had been dealing This coal was delivered, and before it could be consumed the Superintendent had placed in his office an electrical power plant. This power was contracted for in a most unsatisfactory manner The Electrical Company first communicated with the Board of Examiners, requesting that they be given a contract to furnish power for the State Printing Office The board transmitted this communication to the Superintendent of State Printing, and requested that he should inform them what saving, if any, would be effected by utilizing electrical power. No answer was made to this communication, and our next information upon the subject was when claims were presented to the board for the purchase of dynamos and electrical appliances, aggregating over $1,500 Thereafter a monthly claim of $230 was presented to the board for allowance This claim was held for investigation, and later an officer of the Electrical Company appeared before the board and stated that he had made a contract with the State Printer to furnish fifty horse-power, or as much thereof as the Superintendent should require, at a monthly charge of $230 He made such statements before the board as showed that the power was not being used to economic advantage, and read a long

statement showing how it could be more satisfactorily utilized. He declined to file the statement with the board until he had submitted it to the State Printer, with whom he had been dealing. The statement was never filed The purchase of this electrical apparatus and plant has not reduced, as I understand it, the monthly expenses of that department for power, and has not resulted in a saving to the State. It has reduced the amount of coal purchased under the new arrangement, and has prevented a comparison of costs with the previous arrangement

As an evidence that the printing charged to the departments in this State has not increased during the past year to any great extent, although the cost of the Printing Office has, I give the following amounts charged to the various departments for the last six years, as follows:

Forty-second fiscal year	$93,499 63
Forty-third fiscal year	83,225 40
Forty-fourth fiscal year	82,834 55
Forty-fifth fiscal year	71,482 40
Forty-sixth fiscal year	92,752 25
Forty-seventh fiscal year	86,816 00

It is impossible for an inexperienced person to estimate what, if any, extravagance exists in the State Printing Office, and the testimony of inexpert persons possesses little value. The Superintendent of State Printing, in his report and his letters to me, states that a record is preserved in his office of all work done by him These books should show the capacity of the presses, the number of impressions possible in a day, the number and capacity of the compositors, and the quantity and character of binding done in any stated time. From this record the exact cost of any particular piece of property could be readily ascertained by an experienced person. As I have not received the information requested from the State Printer, I am constrained to rely upon a statement from Mr W. M Taylor, at present of San Francisco, and formerly employed as Foreman of the State Printing Department, whose ability and capability Mr Johnston has certified to without qualification in his report (Report 1892-94, page 20). Speaking of the fiscal year ending June 30, 1896, Mr. Taylor says:

"It is true that the rates paid in the S. P. O. are rather high, and in some cases "extravagantly so; but if the difference between these rates and those paid in San "Francisco were calculated, the figures would be an insignificant factor in the total of "waste. On the labor side of the question of economy in the conduct of this department, "the excessive expenditures are caused, not so much by the rate paid to each workman, "but almost wholly by the unwarranted number of hands employed to do the limited "amount of work This is illustrated by a late experience in the office, and may be "recounted as follows: This is the 'off' fiscal year in printing for the State—no reports, "no legislative work, etc. Pending the recent canvass of the election of Mayor, etc., in "Sacramento, it was thought necessary to give employment to about 100 girls in the "bindery. These girls were paid $10 to $12 per week. These figures may be verified by "the Controller's and Treasurer's books. The office contained seven presses, which do the "printing to keep these girls employed (the remaining four presses are for small job "work) The capacity of these presses is about 6,500 impressions per day of eight hours; "total, 45,000 per day. Messrs. Phillips and Whelan, bookbinders here, state that their "girls fold 3,000 in nine hours each; for eight hours, this is about 2,650. From the 100 girls "deduct 10 for miscellaneous work, leaving 90 folders, which multiplied by 2,650 makes "a total of 238,500 sheets, which they should fold per day, against 45,000 printed per day.

"*Presses.*		*Girls.*	
"Capacity	6,500 sheets per day	Capacity	2,650 sheets per day
"Number presses	7	Number girls	90
"Total capacity	45,000 sheets per day	Total capacity	238,500 sheets per day

"Forty-five thousand sheets divided among 90 girls equals 500 sheets per day each. "Forty-five thousand sheets divided by 2,650 (a fair day's work for one girl) equals 17, "the actual number of girls required, showing the employment of 5⅓ times too many. "Seventeen girls from 90 girls—73, at an average wage of $11 per week, equals a waste "of $803 per week. As a matter of fact the presses do not average 45,000 per day. I "make no pretense that these figures are absolutely exact."

According to the report of Hon. L. H. Brown, on the printing of State text-books (page 14), the State printing has increased biennially for general printing since 1887 from $184,519 15 to $307,441 05, costing during the years 1887-89, $228,192 53, and increasing to $307,441 05 for the years 1893-95.

There is no reason why the printing of this State should cost so much more than it does in other States, nor why the price of ink and material in the State Printing Office should be so much greater than at the Public Printing office at Washington, D C. In Indiana the public printing is let by contract, and costs about $50,000 annually. In Illinois the last biennial expenditure for that purpose was, printing, $52,000; binding, $28,000; book and cover paper, $10,000. In Wisconsin and Michigan the public printing is let by contract. In the latter State the cost for 1894-95 was, for printing and binding, $119,000; stationery, $50,000 additional, including stock. In Wisconsin the cost was for two years' printing, including stock and printing of Blue Book and census, $117,241. The three States—Wisconsin, Michigan, and Illinois, with a census population of over

seven and one half millions of people—pay but little more for their biennial printing than does the State of California, with a census population of less than one million and a quarter.

In the table of expenditures issued by the University of New York for the years 1890-91, the cost of the public printing of every State in the Union is given, and it shows that in California the cost for that purpose is many, many times greater than in other States. I append that table.

I believe that a bill should be passed appropriating sufficient money for the printing required by the Legislature; that in the meantime we may consider what, if any, changes should be made in the system of the State Printing Office, or in the regulation of its expenditures. I believe that provision should be made for the employment of an experienced and capable person as a printing expert, with such power and authority as would enable him to examine or investigate all work done, or expenditures made, on account of our public printing, and to report to the Board of Examiners upon all claims for printing presented to them for allowances. I would suggest that for the next two years specific appropriations be made to each department or office of the State requiring printing of an amount equal to one half of the yearly average amount charged against them for work done during the preceding four years, and that they be permitted to procure such printing as they may require at establishments owned by private parties, by contract or otherwise, as you may require, their claims to be subject to the allowance of the Board of Examiners

I would recommend no interference with the authority of Superintendent of State Printing, other than as above stated; but at the expiration of his term, I believe, as I stated in my recent message, that great economy would result from the letting of our public printing by contract to the lowest bidder. A striking instance of the lax methods pursued in the State Printing Office came to my attention while considering the bill under discussion. In response to a request to the Superintendent of State Printing to furnish me with a statement of the items of charge against my predecessor and myself for printing, I received a statement, of date January 27, 1897. Every article which I have ever ordered from this office is carefully charged. As to the account of my predecessor, I have little data from which to verify it, but few expenses for lithographing are charged against him. We commenced our orders on No. 21 of the orders of his order book, there being eighteen preceding orders for printing, given during the last few months of his administration, of which but one order is charged to his account in the statement made me.

When the meager data at my command shows such extraordinary irregularities, I cannot, when coupling the same with other facts herein set forth, approve a bill that exempts the Printing Office from the explanations required by the laws in applying for a deficiency.

I regret the necessity which requires this attitude of apparent antagonism toward you, and in returning this bill without my approval disclaim any purpose other than to subserve the public welfare.

I cannot sanction the incurring of an indebtedness by an officer of our State government without necessity, and in conflict with the provisions of the Act from which he derives his official support, unless such Act be repealed, amended, or modified.

JAMES H. BUDD, Governor.

APPENDIX.

By referring to page 5 of Report of the Superintendent of State Printing, dated 1896, it will be seen that the Superintendent spent for the forty-sixth fiscal year the sum of $162,370 13.

The following table shows the distribution of the expenses throughout the several departments of the plant:

Composition employés	$74,009 15	
Bindery employés	30,494 25	
Electro employés	838 50	
Miscellaneous employés	5,284 60	
Monthly employés	5,502 00	
Pressroom employés	14,170 35	
		$130,298 85
Paper		17,380 68
Envelopes		129 00
Lithographing, engraving, and printing		1,034 30
Bindery supplies		3,936 52
Pressroom		2,909 20
Electro department		11 25
Water		90 00
Ice		49 75
Coal		1,757 78
Gas		658 20
Lumber		51 69
Express, drayage, telephone, telegraph, and postage		507 76
Advertising		68 00
Permanent material		872 60

Repairs and plumbing	$732 87
Laundry and wiping rags	142 75
Machinist's and motive-power supplies	430 29
Incidentals	808 64
Annotating and indexing Statutes, and indexing Journals of Senate and Assembly, thirty-first session	500 00
Total	$162,370 13

By referring to pages 10, 11, 13, and 14 of said report, this sum of $162,370 13 was spent for the following purposes:

"The expense of printing for the departments, boards, and institutions of the State (sixty-one in number), exclusive of the Legislature, aggregated ninety-two thousand seven hundred and fifty-two dollars and twenty-five cents ($92,752 25), apportioned as shown in the following table. In this connection, permit me to say that the number of institutions, etc., for which work has been done during the past year shows an increase of thirteen as compared with the forty-fifth fiscal year, and an increase of six over the forty-fourth fiscal year, demonstrating the growth of the volume of work turned out by the State Printing Office.

Printing for Departments, Institutions, etc.—Forty-sixth Fiscal Year.

Adjutant-General	$2,796 30
Attorney-General	3,049 70
Bank Commissioners	5,046 50
Board of Agriculture	2,809 45
Board of Dental Examiners	381 65
Board of Equalization	1,273 45
Board of Examiners	895 75
Board of Health	3,002 00
Board of Horticulture	4,118 05
Board of Viticulture	2,940 90
Building and Loan Commissioners	3,238 45
Bureau of Roads and Highways	2 50
Capitol Commissioners	30 50
Code Commissioners	74 40
Commissioner of Public Works	684 30
Controller	3,011 70
Dairy Bureau	73 50
Deaf and Dumb, and the Blind	305 35
Debris Commissioner	85 50
Executive Department	1,541 60
Fish Commissioners	925 45
Golden Gate Park Commissioners	46 45
Guardian Marshall Monument	20 30
Home for Adult Blind	344 55
Home for Feeble-Minded Children	861 20
Insane Asylum at Agnews	574 30
Insane Asylum at Napa	450 60
Insane Asylum at Stockton	514 35
Insane Asylum—Mendocino	291 65
Insane Asylum—Southern California	466 25
Insurance Commissioner	356 90
Normal School at Chico	393 50
Normal School at Los Angeles	782 20
Normal School at San José	914 85
Parole Commissioners	12 00
Pilot Commissioners	43 00
Prison Directors	689 25
Preston School of Industry	848 15
Railroad Commissioners	2,462 10
San Francisco Harbor Commissioners	221 60
San Diego Harbor Commissioners	43 10
Secretary of State	6,869 15
State Board of Arbitration	19 55
State Board of Education	8 20
State Board of Pharmacy	255 35
State Library	1,446 25
State Mineralogist	7,487 40
State Prison at Folsom	840 10
State Prison at San Quentin	839 25
State Treasurer	627 30
State University	12,199 25
State Veterinary Medical Board	50 50
Superintendent of Public Instruction	4,410 60
Superintendent of State Printing	762 10
Supreme Court	2,021 00

Surveyor-General	$391 15
Torrens Land Transfer Commission	146 35
Trustees State Mineral Cabinet	35 40
Whittier State School	470 30
World's Fair Commissioners	7,005 70
Yosemite Commissioners	244 05
Total	$92,752 25

The tables following give, in detail, the various items of legislative work, as divided between both branches, and also those items belonging to the bodies jointly. The items are set forth as clearly as possible, in order to show the scope of the work:

Legislature—Thirty-first Session.

Miscellaneous printing	$410 30	
Final history	302 60	
Statutes	3,450 10	
Biggy investigation	10 95	
Statutes (pamphlet)	68 55	
Journals	1,622 10	
		$5,864 60

Senate—Thirty-first Session.

Bills, resolutions, etc.	$13,299 24	
Engrossed bills	1,926 00	
Enrolled bills	889 60	
Reprinting bills 506 to 510 and 516 to 524	64 25	
		$16,179 09
Law chapters		612 50
Daily Journals	$4,122 65	
Corrected Journals	125 75	
Weekly Journals	1,806 10	
		6,054 50
Files		2,050 50
Histories		1,133 60
Binding 45 sets bills	$328 00	
Index to 45 sets bills	297 70	
		625 70
Miscellaneous printing		1,802 35
		$28,458 24

Assembly—Thirty-first Session.

Bills, resolutions, etc.	$15,547 49	
Engrossed bills	3,904 45	
Enrolled bills	911 35	
Reprinting, 100 each, bills 1 to 45, 104 to 110, 200 to 300, 322 to 469	2,279 25	
		$22,642 54
Law chapters		566 00
Daily Journals	$4,053 70	
Corrected Journals	122 75	
Weekly Journals	1,722 50	
		5,898 95
Files		2,055 70
Histories		1,251 25
Binding 85 sets bills	$619 55	
Index to 85 sets bills	316 70	
		936 25
Miscellaneous printing		1,944 35
		$35,295 04

Recapitulation.

Departments and institutions		$92,752 25
Legislature	$5,864 60	
Senate	28,458 24	
Assembly	35,295 04	
		69,617 88
		$162,370 13

It will be seen that these accounts balance.

Page 10 of said report shows the total value of stock on hand July 1, 1895 (being the first day of the forty-seventh fiscal year), to have been $27,784 24.

Page 28 shows the total value of all stock on hand on July 1, 1896, to have been $15,698 48; showing $12,085 76 less than at the beginning of the year.

Page 22 of said report shows the amount of money spent during the forty-seventh fiscal year to have been the sum of $146,000 59, as follows:

Composition employés	$44,551 95	
Pressroom employés	11,184 15	
Bindery employés	29,095 95	
Engraving employés	1,090 00	
Electro employés	1,283 60	
Miscellaneous employés	7,480 70	
Monthly employés	6,211 80	
		$100,898 15
Paper		8,879 36
Cardboard		321 47
Envelopes		444 95
Lithographing, engraving, and printing		4,558 20
Bindery supplies		8,911 61
Pressroom supplies		2,794 49
Electro-room supplies		28 50
Water		270 00
Ice		125 00
Coal		2,298 08
Gas		399 00
Lumber		94 07
Express, drayage, telephone, telegraph, postage, and wagon		825 47
Advertising		127 50
Insurance		1,342 40
Permanent material		6,950 32
Repairs, plumbing, fixtures, and improvements		5,048 56
Laundry and wiping rags		140 00
Machinist's and motive-power supplies		839 02
Paints, drugs, oils, and chemicals		224 15
A. J. Johnston's petty account		39 00
Incidentals		439 36
Total		$146,000 59

Pages 28 and 29 of said report show $94,706 75 spent, as follows:

Printing for Departments and Institutions, etc.—Forty-seventh Fiscal Year.

Adjutant-General	$2,023 00
Attorney-General	2,440 50
Bank Commissioners	3,704 95
Board of Agriculture	8,343 20
Board of Equalization	815 85
Board of Examiners	209 55
Board of Health	1,291 90
Board of Horticulture	1,351 70
Bureau of Roads and Highways	344 65
Building and Loan Commissioners	1,500 10
Commissioner of Public Works	301 45
Code Commissioners	146 05
Controller	2,170 55
Capitol Commissioners	33 90
Deaf and Dumb, and the Blind	91 80
Dairy Bureau	50 80
Fish Commissioners	500 35
Golden Gate Park Commissioners	586 85
Executive Department	898 75
Home for Adult Blind	314 00
Home for Feeble-Minded Children	1,124 45
Insane Asylum—Napa	284 30
Stockton	189 70
Agnews	325 00
Southern California	235 25
Mendocino	293 25
Insurance Commissioner	1,902 80
Labor Commissioner	809 05
Normal School—Chico	437 80
Los Angeles	1,099 15
San José	481 35
Pilot Commissioners	123 35
Prison Directors	293 10
Preston School of Industry	573 65
Railroad Commissioners	6,571 00
Secretary of State	9,309 60
State Library	1,811 20

State Mineralogist	$3,314 40
State Prison—Folsom	778 60
San Quentin	1,098 95
Superintendent of Public Instruction	6,494 55
Superintendent of State Printing	552 75
Supreme Court	2,153 10
Surveyor-General	491 20
State Board of Education	178 60
State Board of Viticulture	43 85
State Treasurer	435 65
State University	13,386 55
Yosemite Commissioners	44 10
Whittier State School	224 00
	$82,180 20
Ruling stock	77 60
Total	$82,257 80

The sum of $4,558 20 was expended for lithographing, engraving, and similar work for the offices and departments, as specified below:

Adjutant-General (commissions, etc)	$295 00
Agricultural Society (Premium List covers)	125 00
Attorney-General	50 00
Controller (warrants)	558 20
Executive Department (commissions, etc.)	519 00
Insurance Commissioner	120 50
Library	33 00
Mining Bureau (maps, etc.)	435 00
Prison Directors	20 00
State Prison at Folsom	14 50
State Prison at San Quentin	70 00
Secretary of State (commissions, maps for Roster, etc.)	1,444 00
Supreme Court (commissions, etc.)	449 00
Superintendent of Public Instruction (diplomas)	375 00
Treasurer	50 00
Total	$4,558 20

As reported to your Excellency in my report for the forty-sixth fiscal year, the sum of $7,890 75 was expended from the appropriation to complete work for the Legislature, as follows:

Miscellaneous printing	$15 05
Journals	614 00
Appendices to Journals	1,679 25
Statutes (pamphlet)	5,582 45
	$7,890 75

Leaving the sum of $51,293 84, with no statement for whom or for what it was spent. If we charge the Superintendent with the difference of—

Stock on hand July 1, 1895, and July 1, 1896, viz.	$12,085 76
Amount spent during year	146,000 59
Total	$158,086 35
Amount accounted for	94,706 75
Amount unaccounted for	$63,379 60

If we credit the Superintendent with the following items, on page 22 of said report, viz.:

Permanent material	$6,950 32
Repairs, plumbing, etc	5,048 56
Total	$11,998 88

And deduct this sum from $63,379 60, it leaves the sum of $51,380 72 unaccounted for.

Table of State Expenditures—(Printing).

State.	Population.	Pub. Print'g.
New York	6,690,842	$157,500 00
Maine	722,000	35,900 00
New Hampshire	385,000	-------
Vermont	337,000	6,778 00
Massachusetts	2,472,749	115,192 00
Rhode Island	375,000	25,000 00
Connecticut	790,000	53,651 00
Pennsylvania	5,745,574	230.294 00
New Jersey	1,689,400	154,247 00
Delaware	179,700	-------
Maryland	1,122,890	16,584 00
West Virginia	857,325	22,000 00
Virginia	1,750,000	33,900 00
North Carolina	1,700,000	18,639 00
South Carolina	1,270,000	24,201 00
Georgia	1,956,000	12,500 00
Florida	425,000	10,000 00
Alabama	1,600,000	10,450 00
Louisiana	1,200,000	45,000 00
Texas	2,650,000	47,091 00
Arkansas	1,300,000	25,000 00
Tennessee	1,800,000	4,120 00
Kentucky	2,000,000	-------
Ohio	3,825,000	161,945 00
Indiana	2,406,504	39,200 00
Illinois	4,500,000	55,332 00
Michigan	2,241,500	52,370 00
Wisconsin	2,000,000	79,769 00
Minnesota	1,500,000	66,055 00
Iowa	2,010,000	-------
Missouri	3,000,000	41,500 00
Kansas	1,450,000	70,490 00
Nebraska	1,250,000	13,000 00
South Dakota	390,000	8,541 00
North Dakota	200,000	14,736 00
Montana	185,000	4,000 00
Wyoming	80,000	-------
Colorado	425,000	66,600 00
Nevada	44,000	9,054 00
California	1,350,000	245,546 00
Oregon	350,000	22,144 00
Idaho	125,000	-------
Washington	395,589	23,618 00

JANUARY 27, 1897.

HON. A. J. JOHNSTON, *State Printer, Sacramento, Calif.:*

DEAR SIR: Please inform me as to the amount of composition that has been set up in your office since January 4, 1897; also, of what the same consists.

You will please state to me the amount of composition in your office during the forty-seventh and the first half of the forty-eighth fiscal year.

Please state to me also the number of presses in your establishment, what each is used for, and the capacity of the same. Also, what work was done on these presses during each month of the forty-seventh and the first half of the forty-eighth fiscal year. Also, what was done on these presses during the month of January, 1897. I desire this information as soon as it can be had, for the purpose of properly considering the appropriation now pending in the Legislature for your office.

On Friday last, I requested of you a communication as to the amount of printing that had been done for this office during my term, and the term of my predecessor. I have not yet received your answer. If you have not enough force at hand to furnish the same, I will be pleased to send some person to do this work, as I desire this information as speedily as possible.

Yours very truly,

JAMES H. BUDD.

FEBRUARY 4, 1897.

HON. JAMES H. BUDD, *Governor State of California, Sacramento, Cal.*

DEAR SIR: In reply to your note of January 27th, I herewith transmit a memorandum of amount of composition and presswork done in the State Printing Office during the month of January, 1897. In reply to your request dated January 28, 1897, I inclose memorandum of brief and transcript work done for the Attorney-General from July 1, 1895, to December 31, 1896.

The other information desired by you I will willingly furnish, so far as may be within my power, at the earliest possible date consistent with the discharge of my other official

duties. No record is kept in my office of the work done on each press, but a record is preserved of all the presswork done on the several presses owned and operated at this State Printing Office. To furnish at once the additional information desired by you would require the suspension of the other duties of my office. During sessions of the Legislature nearly my entire force is engaged upon work required by that branch of the Government, and to divert my force from that work at this time would make it impossible for me to furnish that which is required by the Legislature to enable it to properly discharge its duties. I shall endeavor, however, at the earliest opportunity that it is possible for me to do so, to submit the additional information desired.

I have the honor to remain,

Your obedient servant,

A. J. JOHNSTON,
Superintendent of State Printing.

(3 enclosures.)

Attorney-General—Briefs and Transcripts, July 1, 1895, to December 31, 1896.

People vs. Maroney	$12 05
People vs. Ward	15 85
People vs. Eppinger	14 65
People vs. Sternberg	10 70
People vs. Knutte	11 20
People vs. Oakland Front	94 45
People vs. Sternberg	18 90
People vs. Conkling	22 45
People vs. Lowen	18 90
People vs. Bellamy	12 40
People vs. Wallace	16 35
People vs. Thompson	15 00
People vs. Demasters	15 75
People vs. James	11 60
People vs. Loui Foo	17 00
People vs. Marshall	24 10
People vs. Van Eman	17 85
People vs. Wong Chong Suey	16 35
People vs. Buckley	31 90
People vs. Bennett	14 45
State of California vs. S. P. R. R.	91 35
State of California vs. S. P. R. R.	83 10
State of California vs. S. P. R. R.	16 00
State of California vs. S. P. R. R.	58 35
People vs. Smith	19 90
People vs. St. Clair	11 45
People vs. Olahan	21 65
People vs. Miller	19 35
Sacramento County vs. Colgan	25 75
People vs Wickham	9 20
People vs. Bennett	10 70
People vs. Ranlett	27 35
People vs. Winton	13 55
People vs. J. Cummings	8 45
People vs. Strassman	15 35
People vs. C. Cummings	4 70
People vs. Knutte	9 60
People vs. Faust	13 30
Reinhardt vs. McDonald	32 65
Melvin vs. State	86 80
Wright vs. Del Norte	8 80
People vs. Sanders	51 45
People vs. Winton	9 20
People vs. Worden	30 50
People vs. Brown	15 05
People vs. Alden	22 70
People vs. Reinhardt	38 90
People vs. Cavanaugh	15 25
People vs. White	14 20
People vs. Hickman	32 35
People vs. Webster	38 70
People vs. Mason	16 30
People vs. Hawley	20 35
People vs. Howland	40 25
Van Vleck vs. Dental Examiners	59 75
Transcript: De Long vs. State of California	30 55
Transcript: Melvin vs. State of California	24 75
Brief—People vs. Rangod	14 25
People vs. Curtis	35 45
People vs. Armstrong	37 90

Brief—	People vs. Eppinger	$9 85
	People vs. Marshall	10 60
	People vs. Barney	11 70
	Teralta L. & W. Co.	16 85
	People vs Comyns	20 70
	People vs. Thompson	21 20
	People vs. Cavanaugh	11 10
	People vs. Harris	23 60
	People vs. Dunlap	23 80
	People vs. Roemer	11 45
	Teralta L. & W. Co.	13 90
	People vs Ross	31 75
	People vs. Dental Examiners	21 35
	People vs. Mayes	30 80
	People vs. Talmage	18 75
	City and County of S F. vs. Supervisors	167 70
	People vs. Cummings	6 55
	People vs. Barker	12 45
	People vs. Kennett	10 35
	People vs. Turner	14 50
	People vs. Truckee Lumber Co.	27 60
	People vs. Mayes	24 85
	People vs. Larrabee	22 95
	People vs. Cummings	13 35
	People vs. Higgins	10 70
	People vs Kloss	47 95
	State vs. De Winton	7 35
	People vs. McCarthy	22 45
	People vs. Tucker	11 25
	People vs. Egan	15 95
	People vs. Paulsell	42 50
	Lewis vs. Colgan	25 50
	People vs. Muhlner	8 00
	People vs. Wilson	14 75
	People vs. Tarbox	18 20
	People vs. Fugitt	10 60
	People vs. Crispi	10 70
	People vs. Worthington	197 70
	People vs. Coulterville & Y. T. Co.	23 75
	People vs. Roberts	15 20
	People vs. Mullen	18 95
	People vs. Siep	15 20
	Cochran vs. Los Angeles Co.	14 10
	Lees vs. Colgan	20 85
	People vs. Lourinte	11 45
	People vs. Nain	10 35
	People vs. Pearne	23 45
	People vs. Buckley	34 45
	People vs Gerger	11 45
	People vs. Schorn	69 95
	People vs. Gieger	14 65
	Lees vs. Colgan	17 00
	People vs. Page	29 45
	People vs. Church	101 50
	People vs Wilson	15 10
	De Long vs. State	15 10
	Merced Co. vs. Cook	18 85
	Baldwin vs. State	10 60
	Meade vs. State	8 70
	Reis vs. State	57 55
	People vs. Bosquet	19 00
	People vs. Fournier	13 35
	State vs. S. P. Co.	51 90
	People vs. Coyne	26 60
	People vs. Maxwell	28 45
	People vs. Wickham	17 75
	People vs. Cady	32 35
	State vs. S. P. R. R. Co.	80 20
	People vs. Mayne	134 85
	Davis vs. State	41 60
	People vs Wong Sam	4 95
	People vs Durrant	357 70
	People vs. White	15 85
	People vs. Ebanks	115 10
	People vs. Lewis	34 20

Brief —People vs. Creegan	$92 75
People vs. Melvin	98 00
People vs. Marshall	7 00

E. & O. E.

A. J. JOHNSTON,
"H."

Composition and Presswork—January 1 to January 31, 1897.

	Composition		Presswork	
	Ems.	Hrs	Tokens.	Hrs
Adjutant-General		9		10½
Attorney-General		450		29
Board of Equalization		58		19
Board of Examiners		22		11½
Board of Dental Examiners		4		3½
Board of Health		9		3
Bureau of Highways		12		11
Board of Agriculture		61		
Code Commissioners		15		4
State Controller		5		16½
Executive Department		27	250	16½
Home Adult Blind		8		9
Home Feeble-Minded Children		15		8½
Napa Asylum		29	4	8
Stockton Asylum		2		6
Agnews Asylum		2		1½
Insurance Commissioner		87½	14	
Labor Commissioner		2		2
Preston School Industry		7		13
Railroad Commissioners		4		5
Secretary of State	51,700	91	42	30½
Folsom Prison		3		1½
San Quentin Prison		2		1½
Superintendent Public Instruction		7	5	19½
Superintendent State Printing		11		9
Supreme Court		4		9
Incomplete orders—				
Commissioner Public Works		10		
State University		203	75	
State University		279	63	
Home Adult Blind		54		
Napa Asylum		107		
State Mineralogist		135½	25	

E. & O. E.

A. J. JOHNSTON,
"H."

Legislative Printing—January 1 to February 1, 1897.

	Composition		Presswork	
	Ems.	Hrs.	Tokens.	Hrs.
Senate Bills	2,993,760		1,378	
Senate Journals	802,209		114	
Senate Files	43,384		66	
Senate Histories	210,900		126	
Senate Engrossed Bills	146,080		29	
Senate Enrolled Bills	48,000		11	
Senate Bulletins	12,000		16	
Senate, Miscellaneous	80,000	311		259
Senate Handbook (incomplete)		365		
Assembly Bills	3,174,482		1,710	
Assembly Journals	831,555		105	
Assembly Files	59,160		75	
Assembly Histories	279,100		129	
Assembly Engrossed Bills	96,800		22	
Assembly Enrolled Bills	28,500		5	
Assembly Reprinted Bills	114,400		57	
Assembly, Miscellaneous		324		300

E. & O. E.

A. J. JOHNSTON,
"H."

JANUARY 28, 1897.

HON. A. J. JOHNSTON, *State Printer, Sacramento, Calif.*

DEAR SIR: Please furnish the Governor's office with a list of briefs and transcripts printed in your office for the Attorney-General during the last year, and the cost of the same.

Yours very truly,

E. D. McCABE, Private Secretary.

JANUARY 30, 1897.

HON. A. J. JOHNSTON, *State Printer, Sacramento, California:*

DEAR SIR Please furnish the Governor with a detailed statement of expenditures for your office the first half of the forty-eighth fiscal year; the amount of type set, and amount of folding and stitching done during said period; also, all improvements made during the forty-seventh and forty-eighth fiscal years, and the cost thereof, together with the amount for printing and electric accounts.

Please state what period of time during said years the office was shut down.

Yours respectfully,

E. D. McCABE, Private Secretary.

FEBRUARY 2, 1897.

HON A. J. JOHNSTON, *State Printer, Sacramento, California:*

DEAR SIR: As Governor of the State of California, I will be pleased to hear any representations you may have to make under the provisions of the Act of March 23, 1893, being "An Act to prohibit the creation of debts against the State in excess of appropriations made by law, except in case of actual necessity and on consent of the Board of Examiners."

Further, I have now under consideration Assembly Bill No 263, and would be pleased to hear any reasons you have to give why the same should become a law.

Awaiting your pleasure, I remain, yours truly,

JAMES H. BUDD, Governor.

FEBRUARY 2, 1897.

HON. A. J. JOHNSTON, *State Printer, Sacramento, California:*

DEAR SIR: If possible, please furnish the Governor immediately the amount of type set, the amount of presswork done; also, how much folding and stitching was done by your office during the month of January, 1897.

Yours respectfully,

E. D. McCABE, Private Secretary.

SACRAMENTO, February 2, 1897.

HON. E. D. McCABE, *Private Secretary:*

DEAR SIR: In reply to your note of even date, requesting immediate information as to work of the State Printing Office during the month of January, 1897, I beg to say I have had a clerical force at work every night endeavoring to give the Governor the information desired, as outlined in his several notes of request. I will forward the same as rapidly as it is compiled.

I am, very respectfully, your obedient servant,

A. J. JOHNSTON.

FEBRUARY 3, 1897.

HON. JAMES H. BUDD, *Governor State of California, Sacramento, Cal.:*

DEAR SIR: In reply to your note of the 2d inst., calling my attention to the Act of March 23, 1893, and asking my reasons why Assembly Bill 263, now awaiting your signature, should be approved by your Excellency, I beg to set forth the following:

I am familiar with the Act intended to prohibit the creation of debts against the State in cases of appropriation made by law, except in cases of actual necessity, and on the consent of the Board of Examiners, found in the Statutes of 1893, page 285.

You, also, are doubtless aware that, for the purpose of taking advantage of that Act, it is necessary for the officer desiring to create a deficiency to present to your board a statement showing the amount of the deficiency, the necessity therefor, and asking permission to borrow the money from any person willing to lend the same. Then, if the Board of Examiners are satisfied with the statements made to them, a certificate is signed by them and the officer is compelled to go out in the open market and borrow the money as best he can, and at the best rates possible. You are doubtless aware that, even when money is plentiful, it is almost impossible to obtain money on these certificates, unless the officer, or his bondsmen, become personally responsible for the payment of the same by the Legislature, as the bank or person loaning money will not take the trouble and risk of securing the passage of the law reimbursing them

You are doubtless aware that, owing to the stringency in the money market, it has been impossible for people who have had the best security to borrow money in any large amounts. You are also doubtless aware that the application cannot justly be made to the Board of Examiners until the contingency requiring the borrowing of the money elsewhere exists.

Taking these facts into consideration, if you are not already aware of the circumstances, I desire to say that up to about the 18th day of January of this year there was no deficiency in the appropriation for the Printing Office, and therefore there could be no application made to the Board of Examiners, except for a contemplated deficiency, which might or might not occur, although in all probability the amount of work that would devolve upon this office, by reason of the Legislature being in session, would require the expenditure of more money than available Still, from the very nature of things, the amount of work that would come from the Legislature would be an uncertain quantity, and no one could estimate the amount that would be required for that purpose.

As I view the law, it would be improper, as well as impossible for me, under its terms, to secure a certificate from the Board of Examiners for a deficiency that did not exist, and that might never exist. But suppose that I could ascertain to a certainty the amount of the deficiency that might exist, and should satisfy your board of that fact, and should obtain a certificate from you authorizing me to borrow the money, I would then have to go to some bank and borrow the money and give personal security for the same, probably, and at all events the Legislature would have to pass a deficiency bill to pay back the money so borrowed.

This would be a useless piece of work. The Legislature is now in session, and if they did not see fit to appropriate the money for the purpose of carrying on my office for the balance of the fiscal year, consequently the deficiency that your board might authorize to be created could not be paid. Under any circumstances, therefore, the matter of repayment of any deficiency would have to be left to the Legislature.

I now ask you what reason there could be for getting your consent and borrowing money on the outside, when the Legislature is in session and I can apply to them direct? This seems to be the wisest course to pursue, and the only course I can pursue with justice to myself, my bondsmen, and the State of California.

There is another proposition involved, possibly, and that is, to what extent any indebtedness that might have been created while the matter is waiting your consideration is a claim against the State. On that point I desire to say that I have been informed by some legal gentlemen that I have consulted that the Act of 1893 is simply an Act of the Legislature, that the provisions therein contained are not found in the Constitution, and that they do not bind any subsequent Legislature, and that the appropriation to pay claims created, even against the provisions of that Act under a subsequent Act, would repeal the Act of 1893.

It has been my sole object in the management of the office which I hold to run the institution under my charge as economically as possible, and to put the State to no extra burden. I shall run the office as long as there is money appropriated for that purpose, and when the appropriation ceases or has been expended by necessary work, either a sufficient appropriation must be made or the office must stop. I might say, for your information, if you are not already aware of the fact, that for many years there has been no restraint upon the amount of work that might be ordered upon the State Printing Office, and that, to cure this evil, some years ago, a law was passed that only such reports of the State officers, and so much thereof, should be printed as the Board of Examiners should designate. In 1895 I was given a certain amount of discretionary power in refusing to print any order which may be unnecessary, or which would tend to unnecessarily consume the appropriation for the support of the State Printing Office. On this subject I was supplied with a written opinion from Attorney-General Fitzgerald to the effect that this had no application whatever to the reports of State officers, commissions, etc. So, therefore, I am practically compelled to print everything that is ordered by persons having authority, from my office, and I cannot tell in advance how much that will be.

It is hardly necessary for me to remind you that the appropriation that has passed both branches of the Legislature will not be expended unless it is absolutely necessary, and that all bills that may be contracted by my office, before they are paid, will have to be approved by the State Board of Examiners, of which you are chairman, and there is no doubt that you and your colleagues will see that the money is economically and judiciously expended.

Very respectfully, your obedient servant,

A. J. JOHNSTON,
Superintendent of State Printing.

FEBRUARY 5, 1897.

HON. A. J. JOHNSTON, *Superintendent of State Printing, Sacramento, California*

DEAR SIR: Please furnish the Governor with an itemized statement of the cost of lithographing furnished by your office for Governor Markham, during his administration, and oblige,

Yours truly,

E. D. McCABE,
Private Secretary.

JULY 27, 1895.

HON. A. J. JOHNSTON, *Superintendent State Printing, Sacramento, Cal.*

DEAR SIR: There will be a meeting of the State Board of Examiners on Friday, August 2, 1895, at 2 P. M.

I was directed by said board to say that, if convenient, they would be pleased to have you attend said meeting.

Yours truly,

JOHN MARKLEY,
Secretary State Board of Examiners.

FEBRUARY 3, 1897.

HON. A. J. JOHNSTON, *State Printer, Sacramento, Cal.:*

DEAR SIR: I have the honor to inform you that the State Board of Examiners are now in session. If you have any further bills to present to the board, or any application to make to the board, that the board will be pleased to hear you.

Yours respectfully,

JOHN MARKLEY,
Secretary State Board of Examiners.

The following is the answer to the above letter:

FEBRUARY 3, 1897.

HON. JOHN MARKLEY, *Secretary State Board of Examiners:*

DEAR SIR: I reply to your note of even date, I beg to say that I am preparing my views upon the Act of March 23, 1893, as requested by the Governor, in his note of 2d inst. The same will be submitted to him at the earliest hour possible, consistent with my other official duties

Very respectfully,

A. J. JOHNSTON,
Superintendent of State Printing.

FEBRUARY 17, 1896.

HON. A. J. JOHNSTON, *Superintendent State Printing, Sacramento, Cal.:*

DEAR SIR: I was directed by the State Board of Examiners to request you to be present at a meeting of said board on Friday, February 21, 1896, at 2 P. M., as certain matters connected with your department will be considered.

Yours truly,

JOHN MARKLEY,
Secretary State Board of Examiners.

MAY 16, 1896.

HON. A. J. JOHNSTON, *Superintendent State Printing, Sacramento:*

DEAR SIR: The inclosed communication from the Sacramento Power and Light Company, proposing to furnish the State Printing Office with motors, etc., was, by the State Board of Examiners, referred to you, with a request for a written statement or opinion from you upon the same, and also the saving, if any, the proposed change would make.

Yours truly,

JOHN MARKLEY,
Secretary State Board of Examiners.

No written answer was received to the three preceding letters.

Mr. Caminetti moved that the matter under consideration before the Assembly be referred to Committee on Ways and Means, with instructions that they report before Thursday at two o'clock P. M.

Mr. Bridgford moved to amend by referring the matter to Committee on Commissions, Retrenchment, and Public Expenditures.

Mr. Dibble moved to lay the motion of Mr. Caminetti, with its amendment, on the table.

The ayes and noes were demanded by Messrs. Caminetti, Houghton, and McCandlish.

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

AYES—Messrs. Arnerich, Austin, Belshaw, Bettman, Burnham, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Leavitt, Malcolm, Melick, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—39.

NOES—Messrs Aldridge, Allen, Anderson, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Emmons, Foreman, Houghton, Keegan, Lacy, Landsborough, Mead, Mulcrevy, McCandlish, McClellan, Power of San Francisco, Ryan, Sanford, Shanahan, and Toland—25.

MOTION.

Mr. Guy moved that Assembly Bill No. 318 be re-referred to the Committee on Ways and Means, and retain its place on file.

So ordered.

SPECIAL FILE.

Assembly Bill No. 405—An Act making an appropriation for improving the Capitol buildings and grounds.

Passed on file.

Assembly Bill No. 482—An Act to provide for the appointment, by the Supreme Court, of five commissioners, to be known as Commissioners of the Supreme Court, and to appoint a secretary therefor, to assist said Court in the performance of its duties and in the disposition of numerous causes pending in said court, and to provide for the compensation of said commissioners and secretary, and to appropriate money therefor.

Passed on file.

THIRD-READING FILE.

Assembly Bill No. 80—An Act to provide for the employment of citizens of the United States upon public works within this State.

Passed on file.

Assembly Bill No. 49—An Act to provide for a lunch hour for employés.

Refused third reading.

Assembly Bill No. 18—An Act to amend clause 37, Section 25, County Government Act.

Passed on file.

At three o'clock and forty-five minutes P. M., the Speaker called Mr. Bettman to the chair.

Assembly Bill No. 57—An Act to amend Section 792 of the Political Code, so as to prohibit a county officer or his deputy from being a notary public.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Bridgford, Burnett, Burnham, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Foreman, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Keables, Keegan, Kenyon, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, Pohlman, Power of Placer, Power of San Francisco, Robinson, Sanford, Shanahan, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, and Wright—55.

NOES—Messrs. Landsborough and Price—2.

Title read and approved.

Assembly Bill No. 150—An Act to define the duties and liabilities of employment agents.

Read third time.

Mr. Malcolm moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by inserting in place of the second word "giving," in line 4 of Section 1, the word "given," so that the words will read "given, or to be given."

So ordered.

Mr. Malcolm was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 150—An Act to define the duties and liabilities of employment agents—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.

MALCOLM, Committee.

Adopted.

Assembly Bill No. 150 ordered to printer and engrossment.

Mr. Clarke asked permission to use the Assembly Chamber to-night, at seven o'clock and thirty minutes, for a meeting of the Committee on Roads and Highways.

So ordered.

REPORTS OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly reengrossed:

Assembly Bill No. 29—An Act entitled "An Act to amend Section 1192 of the Code of Civil Procedure."

AUSTIN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the follow ing constitutional amendments have been correctly engrossed:

Constitutional Amendment No. 8—Proposed amendment to Article IV of the Constitution, adding a new section thereto, with reference to local legislation.

Also: Constitutional Amendment No. 9—Proposed amendment to Section 7 of Article I of the Constitution, relative to juries.

AUSTIN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 141—An Act to regulate the profession and provide for the registration of public accountants.

Also: Assembly Bill No. 144—An Act to secure the payment of the claims of materialmen, mechanics, or laborers employed by contractors upon State, municipal, or other public work

Also: Assembly Bill No. 194—An Act to amend Section 1187 of the Code of Civil Procedure, concerning the filing of mechanics' lien, by adding a provision requiring the owner of real property to give notice of completion of improvements thereon.

Also: Assembly Bill No. 304—An Act to provide for the appointment of an auditing board to the Commissioner of Public Works, and making an appropriation therefor

AUSTIN, Chairman.

PETITIONS.

By Mr. Melick: Signed by about two hundred and sixty citizens of Los Angeles County, asking for a Sabbath law.

Referred to Committee on Public Morals.

By Mr. Stansell: Signed by forty-seven citizens of Butte County, asking for a Sunday law.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 531—An Act to establish a State Normal School in San Luis Obispo County, California, and making an appropriation of $100,000 therefor.

Also: Assembly Bill No. 613—An Act to provide a safe place of exhibit and study of the State mineral cabinet, museum, and specimens and other articles and property of the State, to erect a building therefor, and make an appropriation therefor.

Also: Assembly Bill No. 369—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. 370—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Also: Assembly Bill No. 371—An Act making an appropriation for a fence in front of the grounds of the State Normal School building at Chico.

Also: Assembly Bill No. 383—An Act to provide for the construction and furnishing of a gymnasium building for the use of the State Normal School at San José, California, and to appropriate money therefor.

Also: Assembly Bill No. 147—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 appropriating the sum of $5,000 for repairs and improvements in the State Normal School at Los Angeles, California.

Also: Assembly Bill No 325—An Act to provide for the completion and equipment of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California, and to make an appropriation therefor.

Have had the same under consideration, and respectfully report the same back without recommendation, and request that they be referred to the Committee on Ways and Means.

WRIGHT, Chairman.

Adopted.

Assembly Bills Nos. 531, 613, 369, 370, 371, 383, 147, 187, and 325 referred to Committee on Ways and Means.

ON COMMERCE AND NAVIGATION.

MR. SPEAKER: Your Committee on Commerce and Navigation, appointed and instructed to visit and inspect the proposed improvements of San Francisco Harbor, having visited San Francisco and inspected said proposed improvement, now present an account of the actual expenses of said visit, as follows:

Gustave Pohlman	$18 00
W. F. Price	18 00
Ed S. Ryan	18 00
George B. Godfrey	18 00
William H. Gately	18 00
Leon E. Jones	18 00
John W. Power	18 00
Charles Z. Soulé (Clerk)	18 00
Total	$144 00

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of Gustave Pohlman, Chairman of said committee, for the sum of $144, as per above statement, said warrant to be drawn upon the fund for the contingent expenses of the Assembly, and the State Treasurer is directed to pay the same.

Adopted.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 162—An Act to amend an Act entitled "An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the place of use," approved March 12, 1885, by inserting a new section therein, relating to contracts for the sale, rental, and distribution of water, and the sale or rental of easements and servitudes of the right to the flow and use of water—have had the same under consideration, and respectfully report the same back without recommendation.

LINDENBERGER, Chairman.

Assembly Bill No. 162—An Act to amend an Act entitled "An Act to regulate and control the sale, rental, and distribution of appropriated water in this State other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the place of use," approved March 12, 1885, by inserting a new section therein, relating to contracts for the sale, rental, and distribution of water or the sale or rental of easements and servitudes of the right to the flow and use of water.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 730—An Act to provide for the organization and government of irrigation districts,

and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

LINDENBERGER, Chairman.

Assembly Bill No. 730—An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes.

Read first time, and placed on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 636—An Act to provide for the preparation of an index of the Journals and Appendices of the Senate and Assembly of the State of California, and directing the Trustees of the California State Library to pay for the same out of the fund for the support of the California State Library—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on State Library.

GUY, Chairman.

Assembly Bill No. 636 referred to Committee on State Library.

ON PUBLIC WORKS, STATE CAPITOL, AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Assembly Bill No. 446—An Act to amend an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties of the State, and to amend the existing Acts in relation thereto," approved March 14, 1889, by amending Sections 3 and 6 thereof, and by adding thereto a new section, to be known as Section 11½, all relating to the powers of Boards of Park Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ENNIS, Chairman.

Assembly Bill No. 446—An Act to provide for the maintenance and support of the public parks created within the various cities, and cities and counties, of the State, and to amend the existing Acts in relation thereto.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1897.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Assembly Bill No. 513—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ENNIS, Chairman.

Assembly Bill No. 513—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor.

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

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred ——— bills, respectfully report the following original bills, and recommend that they do pass:

1. An Act to amend Section 362 of the Civil Code.
2. An Act to amend Section 418 of the Civil Code.
3. An Act to add a new section to the Civil Code, to be known as Section 431 thereof, relating to the form of fire insurance policies.
4. An Act to amend Section 444 of the Civil Code.
5. An Act to amend Sections 536, 537, 538, 539, and 540 of the Civil Code, relating to telegraph and telephone corporations.
6. An Act to amend Section 2207 of the Civil Code.
7. An Act to amend Section 2208 of the Civil Code.
8. An Act to amend Sections 3001 and 3002 of the Civil Code, relating to the sale of property pledged.

DIBBLE, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Committee on Revision of Codes and Statutes: Assembly Bill No. 794—An Act to amend Section 362 of the Civil Code.

Read first time, and placed on file for second reading.

Also: Assembly Bill No. 812—An Act to amend Section 418 of the Civil Code.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 813—An Act to add a new section to the Civil Code of California, to be known as Section 431 thereof, relating to the form of fire insurance policies.

Read first time, and placed on file for second reading.

Also: Assembly Bill No. 814—An Act to amend Section 444 of the Civil Code of California.

Read first time, and placed on file for second reading.

Also: Assembly Bill No. 815—An Act to amend Sections 536, 537, 538, 539, and 540, of the Civil Code of California, relating to telegraph and telephone corporations.

Read first time, and placed on file for second reading.

Also: Assembly Bill No. 816—An Act to amend Section 2207 of the Civil Code of California.

Read first time, and placed on file for second reading.

Also: Assembly Bill No. 817—An Act to amend Section 2208 of the Civil Code.

Read first time, and placed on file for second reading.

Also: Assembly Bill No. 818—An Act to amend Sections 3001 and 3002 of the Civil Code of California, relating to the sale of property pledged.

Read first time, and ordered on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1897.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 23—Relative to the farming industry—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

GOODHUE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 3.
Also: Assembly Joint Resolution No. 25.
Also: Senate Joint Resolution No 6.
Also: Assembly Joint Resolution No. 24.
Also: Assembly Joint Resolution No. 27.
Also: Assembly Joint Resolution No. 26.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

GOODHUE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1897.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 4—Relative to volunteer soldiers of the Indian wars in California.

Also: Assembly Joint Resolution No. 22—Relative to the volunteers of the Cayuse War.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

GOODHUE, Chairman.

RESOLUTION.

By Mr. Waymire:

Resolved, That the following Assembly bills, in relation to revenue and taxation, be re-referred to the Judiciary Committee, and retain their place on file:

Assembly Bill No. 277, on third-reading file.

Assembly Bills Nos. 191, 678, 431, 432, and 433, on second-reading file.

Adopted.

ADJOURNMENT.

At four o'clock and twenty minutes P. M., on motion of Mr. Ryan, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 10, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Monday, February 8, 1897, was approved as corrected.

SPECIAL ORDERS.

Assembly Concurrent Resolution No. 2, relative to the Yosemite National Park.

The question being, "Shall Assembly Concurrent Resolution No. 2 be adopted?"

The ayes and noes were demanded by Messrs. McClellan, Melick, and Landsborough.

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

AYES—Messrs Anderson, Belshaw, Bridgford, Cross, Cutter, Goodhue, Hill, Hudson, Kenyon, Lindenberger, Mead, Melick, Price, Valentine, Vosburg, and Waymire—16.

NOES—Messrs. Aldridge, Allen, Arnerich, Bettman, Boone, Breiling, Burnett, Burnham, Caminetti, Canavan, Cartwright, Clarke, Damon, Dennery, Dolan, Dryden, Elliott, Ennis, Gately, Godfrey, Guy, Harris, Houghton, Jones, Keables, Keegan, Kelly, Lacy, Landsborough, Mahoney, Malcolm, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Robinson, Rubell, Sanford, Sims, Shanahan, Stansell, Strain, Toland, Treacy, and Mr. Speaker—48.

Assembly Bill No. 622—An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State Home for United States soldiers, sailors, and marines, and to provide for the government thereof by 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. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnett, Burnham, Canavan, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Keables gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Concurrent Resolution No. 2 was defeated.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 681—An Act concerning bridges across navigable streams.

Passed on file.

Assembly Bill No. 65—An Act establishing a State Normal School in San Diego County, California, and making an appropriation of $75,000 therefor.

Read second time.

Mr. Guy moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 65.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 65 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 65—An Act establishing a normal school in San Diego County, California, and making an appropriation of $75,000 therefor—and now report same back, and recommend that the same do pass as amended.

COOMBS, Chairman.

The following amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend the title by striking out the words "seventy-five," and inserting in lieu thereof the word "fifty."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out of Section 1, line 1, the words "shall be," and inserting "is hereby."

Adopted.

COMMITTEE AMENDMENT No. 3.

Amend by striking out of Section 5, line 1, the words "seventy-five," and inserting "fifty."

Adopted.

COMMITTEE AMENDMENT No. 4.

Amend by striking out of Section 6, line 1, the word "shall," after the word "State," and inserting "is hereby authorized to."

Adopted.

COMMITTEE AMENDMENT No. 5.

Amend Section 6, line 4, by inserting after the word "same," "and the State Treasurer is directed to pay the same."

Adopted.

Assembly Bill No. 65 ordered engrossed, to printer, and to third reading.

Mr. Guy moved that Assembly Bill No. 65 be made the special order for next Tuesday, immediately after reading of the Journal.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, appointed and instructed to visit the State prisons at San Quentin and Folsom, relative to Assembly Bill No. 515, consolidation of State prisons, having visited said prisons, now present an account of the actual expenses of said visit, as follows:

Matthew Canavan	$10 95
H. M. Kelly	10 95
C. F. Rubell	10 95
O. F. Breiling	10 95
Henry McGrath	10 95
C. D. Fontana	10 95
T. E. Treacy	10 95
Brewster C. Kenyon	8 55
S. F. Ennis	8 55
W. J. Boyd (Clerk)	10 95
	$103 70

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of Matthew Canavan, Chairman of said committee, for the sum of $103 70, as per above statement, said warrant to be drawn upon the fund for the contingent expenses of the Assembly, and the Treasurer is hereby directed to pay the same.

CANAVAN, Chairman.

On motion of Mr. Canavan, the rules were suspended and the resolution adopted.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 285—An Act for the employment of the homeless and the unemployed, and for the punishment of vagrants—have had the same under consideration, and respectfully report the same back without recommendation.

BURNHAM, Chairman.

Assembly Bill No. 285—An Act for the employment of the homeless and the unemployed, and for the punishment of vagrants.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 299—An Act to amend Section 176 of an Act to establish a uniform system of county and township governments, approved March 24, 1893.

Also: Assembly Bill No. 747—An Act to regulate the erection of buildings and structures by the authorities of cities, counties, or cities and counties, and to regulate contracts relating thereto.

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

BURNHAM, Chairman.

Assembly Bill No. 299—An Act to amend Section 176 of an Act to establish a uniform system of county and township governments, approved March 24, 1893.

Read first time, and placed on file for second reading.

Assembly Bill No. 747—An Act to regulate the erection of buildings and structures by the authorities of cities, counties, or cities and counties, and to regulate contracts relating thereto.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 776—An Act to amend Section 2 of an Act entitled "An Act to create the County of Madera, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county," 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 Counties and County Boundaries.

Also: Assembly Bill No. 576—An Act to amend Section 647 of the Penal Code of California—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

BURNHAM, Chairman.

Assembly Bill No. 776 referred to Committee on Counties and County Boundaries.

Assembly Bill No. 576 withdrawn by author.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 499—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and

to add two new sections to said Act, to be known as Sections 20 and 21—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

BETTMAN, Chairman.

Assembly Bill No. 499—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add two new sections to said Act, to be known as Sections 20 and 21.

Read first time, and placed on file for second reading.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Sub-Committee on State Hospitals and Asylums, having visited the asylums at Stockton and Highlands, have found those institutions in good condition and properly conducted; especially do we desire to speak in praise of the good ventilation and cleanliness of the Southern California State Asylum.

In our estimation, however, it is not advisable to allow the large appropriations for improvements asked for by these asylums and the other State asylums of this State, during the present hard times, but to allow only such appropriations as are actually necessary for the needs of the present.

MALCOLM, Chairman

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 52—An Act to appropriate $20,000 to furnish an additional water supply to the Mendocino Asylum; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to construct a building for said electric plant, to construct a dam; to purchase an ice plant and cold-storage system for said asylum, to appropriate money therefor, and provide for the expenditure of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 94—An Act making an appropriation for the erection of a dairy barn and appurtenances for 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 pass as amended.

Also: Assembly Bill No. 93—An Act making an appropriation for enlarging the laundry of the Southern California State Asylum for the Insane and Inebriates to double its present capacity—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 95—An Act making an appropriation for the erection of a community dining-room and dormitory building for the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 660—An Act making an appropriation for the furnishing of a community dining-room and dormitory building for 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 be referred to the Committee on Ways and Means without recommendation.

Also: Assembly Bill No 96—An Act making an appropriation for the erection of a central building for the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 109—An Act making an appropriation for a system of storm drains and improvements of the grounds of the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 92—An Act making an appropriation for furnishing a central building for 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 said bills.

Also: Assembly Bill No. 713—An Act making an appropriation for the erection of a ward building for 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 pass as amended.

Also: Assembly Bill No 593—An Act to appropriate money for the support of orphans, half orphans, abandoned children, foundlings, and other abandoned infants—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No 435—An Act appropriating money to provide for the erection and furnishing of a residence for the Medical Superintendent of the State Insane Asylum at Stockton, California—have had the same under consideration, and respectfully report the same back, and recommend that the bill be referred to the Committee on Ways and Means without recommendation.

Also: Assembly Bill No. 436—An Act making an appropriation for supplying water, light, and fuel for the State Insane Asylum at Stockton—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MALCOLM, Chairman.

Assembly Bills Nos. 52, 94, 93, 95, 660, 713, 593, 435, and 436 re-referred to Committee on Ways and Means.

Assembly Bills Nos. 96, 109, and 92 withdrawn by author.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 255—An Act to amend Section 874 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, in relation to notice for bids for public work—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VALENTINE, Chairman.

Assembly Bill No. 255—An Act to amend Section 874 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, in relation to notice for bids for public work.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 90—An Act to amend Section 38 of an Act approved March 9, 1893, amending Sections 38 to 53, inclusive, of an Act approved March 31, 1891, adding those sections to an Act to provide for work upon streets, alleys, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities, approved March 18, 1885—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

VALENTINE, Chairman.

Assembly Bill No. 90—An Act to amend Section 38 of an Act approved March 9, 1893, amending Sections 38 to 53, inclusive, of an Act approved March 31, 1891, adding those sections to an Act to provide for work upon streets, alleys, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities, approved March 18, 1885.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 274—An Act authorizing the issue and sale of fiscal year bonds by incorporated cities—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

VALENTINE, Chairman.

Assembly Bill No. 274—An Act authorizing the issue and sale of fiscal year bonds by incorporated cities.

Read first time, and placed on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 727—An Act entitled "An Act to form agricultural districts, to provide for formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal all Acts and parts of Acts in conflict with this Act"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

PRICE, Chairman.

Assembly Bill No. 727—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 all Acts and parts of Acts in conflict with this Act."

Read first time, and placed on file for second reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Price:

Resolved, That five hundred copies of the list of agricultural fairs, with the appropriations recommended by the joint committee on agriculture of both houses, be printed as a guide to members when the bill is under consideration, and the State Printer is hereby ordered to print the same at once.

On motion of Mr. Price, the rules were suspended and the resolution adopted.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 624—An Act amending Section 407 of the Code of Civil Procedure, relating to summons—have had the same under consideration, and respectfully report the same back, and recommend that the author withdraw the same.

WAYMIRE, Chairman

Assembly Bill No. 624—An Act amending Section 407 of the Code of Civil Procedure of the State of California.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 321—An Act to amend Sections 1444 and 1445 of the Code of Civil Procedure, in relation to appraisement of estates of deceased persons.

Also: Assembly Bill No. 401—An Act to amend Sections 1254 and 1257 of the Code of Civil Procedure, relating to the right of eminent domain.

Also: Assembly Bill No. 443—An Act to amend an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895.

Also. Assembly Bill No. 700—An Act to amend Section 53 of the Code of Civil Procedure of the State of California

Also: Assembly Bill No. 714—An Act to amend Section 3865 of the Political Code, to provide for settlements with the State, and to make compensation to counties for the exemption of property from taxation.

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

WAYMIRE, Chairman.

Assembly Bill No. 321—An Act to amend Sections 1444 and 1445 of the Civil Code, in relation to appraisement of estates of deceased persons.

Read first time, and placed on file for second reading.

Assembly Bill No. 401—An Act to amend Sections 1254 and 1257 of the Code of Civil Procedure, relating to the right of eminent domain.

Read first time, and placed on file for second reading.

Assembly Bill No. 443—An Act to amend an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895.

Read first time, and placed on file for second reading.

Assembly Bill No. 700—An Act to amend Section 53 of the Code of Civil Procedure of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 714—An Act to amend Section 3865 of the Political

Code, to provide for settlements with the State, and to make compensation to counties for the exemption of property from taxation.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Constitutional Amendment No. 19—Proposed amendment to Article XIII of the Constitution, relative to revenue and taxation—which was referred to us for our opinion as to its constitutionality, is reported back, with the statement that in the opinion of the Judiciary Committee it is constitutional, and respectfully recommend that it be re-referred to the Committee on Constitutional Amendments.

WAYMIRE, Chairman.

Re-referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 552—An Act to amend Section 485 of the Civil Code of the State of California, relating to fencing the right of way of railroad corporations, and the liability for failing so to do.

Also: Assembly Bill No 675—An Act to amend Section 595 of the Civil Code of the State of California, relating to religious, social, and benevolent associations.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Corporations.

WAYMIRE, Chairman.

Re-referred to Committee on Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 407—An Act to amend Section 690 of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding a new article, exempting typewriters and bicycles from execution—have had the same under consideration, and respectfully report the same back, and recommend that the author withdraw the same, as the committee has already reported back favorably a bill on same subject-matter.

WAYMIRE, Chairman.

Assembly Bill No. 407—An Act to amend Section 690 of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding a new article, exempting typewriters and bicycles from execution.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 592—An Act to create and administer a public school teachers' annuity retirement fund in cities of this State of the first, second, and third classes, having Boards of Education.

Also. Assembly Bill No. 687—An Act to amend Section 1830 of the Political Code, relating to schools.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Education.

WAYMIRE, Chairman.

Assembly Bills Nos. 592 and 687 re-referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 442—An Act to amend Section 1727 of the Code of Civil Procedure of the State of California, relating to Public Administrators.

Also: Assembly Bill No 560—An Act to amend Section 408 of the Political Code, and to repeal Section 410 thereof

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

WAYMIRE, Chairman.

Assembly Bill No. 442—An Act to amend Section 1727 of the Code of Civil Procedure of the State of California, relating to Public Administrators.

Read first time, and placed on file for second reading.

Assembly Bill No. 500—An Act to amend Section 408 of the Political Code, and to repeal Section 410 thereof.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No 113—An Act to amend Section 685 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: Senate Bill No. 155—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.

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

Also: Senate Bill No. 47—An Act to amend Section 61 of the Civil Code, relating to the granting of divorces.

Also: Senate Bill No. 67—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 1703½, concerning the distribution of estate, and discharge of executors and administrators

Also: Senate Bill No. 122—An Act to add two new sections to the Code of Civil Procedure, said sections to be designated as Sections 663 and 663½, respectively, providing for the setting aside of a judgment of a Superior Court, and the rendition of a new judgment without a new trial.

Also: Senate Bill No 177—An Act to amend Section 638 of the Civil Code of the State of California, relating to the interest to be charged, and security to be taken, by mutual building and loan associations

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

WAYMIRE, Chairman.

Senate Bills Nos. 113, 155, 47, 67, 122, and 177 ordered on Senate special file.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 725—An Act to add a new section to the Civil Code, to be known and designated as Section 512, relating to street railroads—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend that it do pass.

CUTTER, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Committee on Corporations: Assembly Bill No. 819—An Act to add a new section to the Civil Code, to be known and designated as Section 511½, relating to street railroads.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 120—An Act to legalize certain acknowledgments—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. 145, No. 191 on to-day's file, being an identical bill.

WAYMIRE, Chairman.

So ordered.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR SPEAKER: Your Committee on Corporations, to whom was referred Assembly Joint Resolution No. 21, have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CUTTER, Chairman.

MOTION.

Mr. Dryden moved that the rules be suspended, and the Assembly proceed to the consideration of Assembly Joint Resolution No. 21.

Lost.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 665—An Act to amend an Act entitled "An Act concerning the waterfront of the City and County of San Francisco," approved March 15, 1878—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

POHLMAN, Chairman.

Assembly Bill No. 665—An Act to amend an Act entitled "An Act concerning the waterfront of the City and County of San Francisco," approved March 15, 1878.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 186—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the western 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 respectfully report the same back, and recommend that it do pass.

POHLMAN, Chairman.

Senate Bill No. 186 ordered on Senate special file.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 635—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as a substitute to Assembly Bill No. 351, and to take the place of Assembly Bill No 351 on file.

CROSS, Chairman.

Assembly Bill No. 635—An Act to amend the Penal Code by adding a new section thereto, to be numbered Section 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies.

Read first time, and ordered to take the place of Assembly Bill No. 351 on file.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 78—An Act to amend the section referring to jurors' fees in "An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State," approved March 28, 1895.

Also: Assembly Bill No. 252—An Act to amend an Act entitled "An Act to amend an Act entitled 'An act to protect and promote horticultural interests of the State,'" approved March 19, 1889.

Also: Assembly Bill No. 449—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885, and to add four new sections thereto, all relating to the State Board of Dental Examiners, and regulating the practice of dentistry in this State.

AUSTIN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly reengrossed:

Assembly Bill No. 14—An Act to amend Section 2955 of the Civil Code of California, respecting the mortgaging of personal property.

Also: Assembly Bill No. 80—An Act to provide for the employment of citizens of the United States upon public works within this State.

AUSTIN, Chairman.

ON STATE LIBRARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your Committee on State Library, to whom was referred Senate Bill No. 338—An Act to amend Sections 2292, 2293, 2294, of Chapter III, Title V, of the Political Code, relating to the State Library—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No 636—An Act to provide for the preparation of an index of the Journals and Appendices of the Senate and Assembly of the State of California, and directing the Trustees of the California State Library to pay for the same out of the fund for the support of the California State Library—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STANSELL, Chairman.

Senate Bills Nos. 338 and 636 ordered on Senate special file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your Committee on State Library, to whom was referred Assembly Bill No. 512—An Act to amend Sections 2292, 2293, 2294, of Chapter III, Title V, of the Political Code, relating to the State Library—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same, as its provisions are identical with Senate Bill No. 338.

STANSELL, Chairman.

Assembly Bill No. 512—An Act to amend Sections 2292, 2293, 2294, of Chapter III, Title V, of the Political Code, relating to the State Library.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your Committee on State Library, to whom was referred Assembly Bill No. 409—An Act to amend Sections 2293 and 2295 of the Political Code, relating to the State Library—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

STANSELL, Chairman.

Assembly Bill No. 409—An Act to amend Sections 2293 and 2295 of the Political Code, relating to the State Library.

Read first time, and placed on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR SPEAKER: Your Committee on Fish and Game, to whom was referred Senate Bill No 310—An Act for the protection of the Antwerp messenger, or homing pigeon—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STRAIN, Chairman.

Senate Bill No. 310 ordered on Senate special file.

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred Assembly Bill No. 580—An Act to provide that all Codes

and Statutes furnished to the members of the Legislature shall, at the close of the session of the Legislature, be returned to the Secretary of State, to be kept by him for use of the succeeding Legislatures—have had the same under consideration, and respectfully report the same back, and recommend that the author be granted leave to withdraw the same, your committee having prepared a substitute for the same.

MELICK, Chairman.

Assembly Bill No. 580—An Act to provide that all Codes and Statutes furnished to the legislators shall, at the close of the session of the Legislature, be returned to the Secretary of State, to be kept by him for the use of succeeding Legislatures.

Read first time, and placed on file for second reading.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR SPEAKER: Your Committee on Rules and Regulations, to whom was referred the following resolution by Mr. Anderson:

SECTION 1. Whenever the Assembly shall be called to order for the purpose of going into session, it shall be the duty of the Speaker to request all persons, other than the members or ex-members of the Assembly, Senators, State officials, the attachés at the desk, and all properly accredited newspaper reporters, who shall occupy seats at desks assigned them, to leave the floor of the Assembly, and no person or persons other than the above-mentioned shall be allowed upon the floor of the Assembly while the same is in session, except that any lady may be shown to a seat inside the rail by the Sergeant-at-Arms, or any committee clerk may be admitted to the seat of a member upon the written request of any member of the Assembly

SEC. 2 The Speaker shall strictly enforce this rule, and the Sergeant-at-Arms shall preserve all written requests made to him by members, and shall be held responsible for all violations of this rule.

Have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

CHYNOWETH, Chairman.

Ordered printed in Journal, and laid over one day.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations hereby report the following temporary rule under Rule LXVII of the Assembly:

That Assembly Bill No 332—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses (substitute for Assembly Bill No. 126)—reported by the Committee on Revision of Codes and Statutes, with the recommendation that it do pass.

Also: Assembly Bill No. 455—An Act to amend the Code of Civil Procedure, by adding thereto a new section, to be numbered Section 676, relating to conveyances under order of court

Also: Assembly Bill No. 456—An Act to amend Section 691 of the Code of Civil Procedure.

Also: Assembly Bill No. 457—An Act to add a new section to the Code of Civil Procedure, to be known as Section 811 thereof, relating to dissolution of corporations.

Also: Assembly Bill No. 458—An Act to amend Section 868 of the Code of Civil Procedure.

Also: Assembly Bill No. 459—An Act to amend Section 939 of the Code of Civil Procedure.

Also: Assembly Bill No. 460—An Act to amend Section 943 of the Code of Civil Procedure.

Also: Assembly Bill No. 461—An Act to amend Section 963 of the Code of Civil Procedure.

Also: Assembly Bill No 462—An Act to amend Section 973 of the Code of Civil Procedure.

Also: Assembly Bill No. 463—An Act to amend Section 980 of the Code of Civil Procedure.

Also: Assembly Bill No 255—An Act to amend Section 874 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, in relation to notice for bids for public work.

Also: Assembly Bill No. 372—An Act to amend Sections 739, 769, and 2314 of the Political Code, relating to officers of the Supreme Court and their salaries.

Also: Assembly Bill No. 234—An Act making an appropriation to pay the claim of the Tribune Publishing Company, for advertising the constitutional amendments.

Also: Assembly Bill No. 200—An Act to amend Sections 925-928 of the Penal Code of

the State of California, and add a new section to said Code, to be known as Section 929, relating to grand juries, their powers and duties.

Also: Assembly Bill No. 374—An Act to authorize Boards of Health of municipalities and counties of this State to issue subpœnas for witnesses, and to compel attendance of witnesses before such boards.

Also: Assembly Bill No. 375—An Act to confer further powers upon the Boards of Health of the municipalities and counties in this State.

Also: Assembly Bill No. 478—An Act making an appropriation to pay the deficiency in the appropriation for the payment of expenses incurred in calling the National Guard of California into service, by order of the Governor, during the year 1894.

Also: Assembly Bill No. 291—An Act supplementary to an Act conferring power upon the Common Council, Board of Supervisors, or other governing bodies of 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, approved March 24, 1895

Also: Assembly Bill No. 730—An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes.

Also: Assembly Bill No. 234—An Act making an appropriation to pay the claim of the Tribune Publishing Company, for advertising the constitutional amendments.

Be considered at a meeting of the Assembly to be held on Friday evening, February 12th, commencing at seven o'clock and thirty minutes; that all of said bills not now on the third-reading file be considered under the urgency clause of the Constitution, and be read second and third times and placed on final passage.

That no other business be transacted pending consideration of said measures.

CHYNOWETH, Chairman.

Ordered printed in Journal, and laid over one day.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 233—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments

Also: Assembly Bill No. 706—An Act authorizing the Clerk of the Supreme Court to furnish his office, and make an appropriation therefor.

Also: Assembly Bill No. 108—An Act making an appropriation to pay for the support of the Southern California State Asylum for the Insane and Inebriates, for the remainder of the forty-eighth fiscal year.

Also: Assembly Bill No. 521—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture as instructress and silk expert.

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

GUY, Chairman.

Assembly Bill No. 233—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments.

Read first time, and placed on file for second reading.

Assembly Bill No. 706—An Act authorizing the Clerk of the Supreme Court to furnish his office, and make an appropriation therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 108—An Act making an appropriation to pay for the support of the Southern California State Asylum for the Insane and Inebriates, for the remainder of the forty-eighth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 521—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture as instructress and silk expert.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 752—An Act to amend Section 416 of the Political Code, relative to fees to be

collected by the Secretary of State. for services performed in his office—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary.

GUY, Chairman.

Assembly Bill No. 752 ordered referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1897.

MR. SPEAKER: Your Committee on Ways and Means beg leave to submit the following report for week ending Saturday, February 6th:

Bills received since last report:

February 1, Assembly Bill No. 377—For construction of reservoir at Preston School of Industry	$15,000 00
February 1, Assembly Bill No. 376—Erection of buildings at Preston School of Industry, and furnishing same	81,500 00
February 1, Assembly Bill No. 378—Improvements at Preston School of Industry	10,100 00
February 1, Assembly Bill No. 379—Purchase of land for Preston School of Industry	5,000 00
February 1, Assembly Bill No 567—Appointment of clerk in office of Superintendent of Public Instruction	
February 1, Assembly Bill No. 574—Amending an Act relating to powers of the State Analyst	
February 1, Assembly Bill No. 582—Dredging Humboldt Bay	50,000 00
February 2, Assembly Bill No. 215—Claims of Cunningham and Rodgers	870 00
February 2, Assembly Bill No. 608—For Trans-Mississippi Exposition	70,000 00
February 3, Assembly Bill No. 65—Normal School at San Diego	50,000 00
February 3, Assembly Bill No. 392—Transferring from Estates of Deceased Persons Fund to State School Land Fund	80,000 00
February 3, Assembly Bill No. 568—Maintenance of fire boat, for protection of shipping	75,000 00
February 3, Assembly Bill No. 538—Amending Political Code sections, relating to Board of Harbor Commissioners for port of Eureka	10,000 00
February 3, Assembly Bill No. 510—Improvements on Salt River, at Port Kenyon	10,000 00
February 3, Assembly Bill No. 5—Claim of Julius A. Hult	5,000 00
February 3, Assembly Bill No. 15—Claim of W. W. Foote and G. W. McEnerney	1,535 25
February 3, Assembly Bill No. 651—For legislative printing, thirty-second session	30,000 00
February 3, Assembly Bill No 646—Claim of James V. Hicks	207 75
February 3, Assembly Bill No. 478—Deficiency in appropriation for National Guard	135 02
February 4, Assembly Bill No. 521—Claim of Louise Rienzi	1,370 70
February 4, Assembly Bill No. 1—Improvements to the Deaf, Dumb, and Blind Asylum	17,200 00
February 5, Senate Bill No. 344—Transferring from Estates of Deceased Persons Fund to State School Land Fund	100,000 00
February 5, Senate Bill No 345—Transferring from General Fund to Estates of Deceased Persons Fund	80,000 00
February 5, Assembly Bill No. 486—Establishing Board of Warehouse Commissioners	
February 5, Assembly Bill No 652—An Act to encourage fibre culture	12,400 00
February 5, Assembly Bill No. 193—Claim of Marin County for prosecution of crimes committed within San Quentin Prison	8,111 15
February 5, Assembly Bill No. 84—For support of aged and indigent persons	
February 5, Assembly Bill No. 388—For construction of residence for Governor	60,000 00
February 5, Assembly Bill No. 402—Creating office of Lake Tahoe Wagon Road Commissioner	25,000 00
February 5, Assembly Bill No. 483—Claim of Modoc County	2,363 48
February 5, Assembly Bill No. 612—For wagon road in Mono Lake district	25,000 00
February 5, Assembly Bill No 553—Construction of wagon road from Tallac to McKinneys, along the shore of Lake Tahoe	250 00
February 3, Senate Bill No. 16—For affiliated colleges	125,000 00
February 3, Assembly Bill No. 636—Providing for index of the Journals and Appendices of the Senate and Assembly	
Total	$951,043 35

Reported back favorably:

February 1, Assembly Bill No. 83—To provide for the appointment of Debris Commissioner, and an appropriation to be expended under his direction	$250,000 00

February 1, Assembly Bill No. 304—To provide for the appointment of an auditing board to the Commissioner of Public Works, and making an appropriation therefor	$300,000 00
February 1, Assembly Bill No. 225—Claim of Clarence S. Merrill	1,131 60
February 1, Assembly Bill No. 234—Claim of Tribune Publishing Company	2,160 00
February 3, Assembly Bill No. 15—Claim of W. W. Foote and G. W. McEnerney	1,535 25
February 3, Assembly Bill No 120—Authorizing a levy of a rate of taxation for the University of California	----------
February 3, Assembly Bill No. 132—Sewage-pumping plant at Folsom prison	15,000 00
February 3, Assembly Bill No. 133—Rock-crushing plant at Folsom prison	8,000 00
February 3, Assembly Bill No. 213—Claim of Clement Bennett	1,223 80
February 3, Assembly Bill No. 229—Claim of Sarah H. Wing	5,000 00
February 3, Assembly Bill No. 245—Claim of James H. Barry	250 00
February 3, Assembly Bill No. 246—Claim of the Bee	1,440 00
February 3, Assembly Bill No. 248—Claim of Los Angeles Herald	1,255 50
February 3, Assembly Bill No. 224—Claim of Lake Kavanaugh	1,051 30
February 3, Assembly Bill No. 340—Claim of Clement Bennett	893 00
February 3, Assembly Bill No. 312—Claim of Charles F. Wells	5,000 00
February 5, Assembly Bill No. 242—Claim of R. L. Peeler	37 70
February 5, Assembly Bill No. 250—Funeral expenses of Lieutenant-Governor Millard	1,118 33
February 5, Assembly Bill No. 262—Claim of George E. Lawrence	46 50
February 5, Assembly Bill No. 535—Deficiency in appropriation for office rent of Attorney-General, forty-eighth fiscal year	460 00
February 5, Assembly Bill No. 534—Deficiency in appropriation for postage, expressage, etc., in the Attorney-General's office for forty-seventh fiscal year	50 00
February 5, Assembly Bill No. 533—Same as 534, for forty-eighth fiscal year	350 00
February 5, Assembly Bill No. 288—Deficiency in appropriation for repairs to Capitol building, furniture, etc.	5,000 00
February 5, Assembly Bill No. 65—Normal School at San Diego	50,000 00
February 5, Assembly Bill No. 296—Claim of Tribune Printing Company	295 85
February 5, Assembly Bill No. 510—Improving Salt River at Port Kenyon	10,000 00
February 5, Assembly Bill No. 244—Claim of the Examiner	4,786 56
February 5, Assembly Bill No. 247—Claim of Daily Report Publishing Company	2,006 00
February 5, Senate Bill No. 16—Affiliated Colleges	125,000 00
February 5, Senate Bill No. 344—Transferring from the Estates of Deceased Persons Fund to State School Land Fund	100,000 00
February 5, Senate Bill No. 345—Transferring from General Fund to Estates of Deceased Persons Fund	80,000 00
Total	$973,101 49
Reported back unfavorably:	
February 3, Assembly Bill No. 193—Claim of Marin County	$8,111 15
February 3, Assembly Bill No. 317—Monument to Col. E. D. Baker	15,000 00
February 5, Assembly Bill No. 502—Claim of W. C. Guirey	260 00
February 5, Assembly Bill No. 215—Claims of Cunningham and Rodgers	870 00
February 5, Assembly Bill No. 410—Coyote scalp claims	287,615 00
February 5, Assembly Bill No. 318—Claim of John F. Kidder	724 25
February 5, Assembly Bill No. 388—For construction of residence for Governor	60,000 00
Total	$372,580 40
Withdrawn by authors:	
February 1, Assembly Bill No. 20—Appropriation for Nashville exposition	$10,000 00
February 3, Assembly Bill No. 392—Transferring from Estates of Deceased Persons Fund to State School Land Fund	100,000 00
February 5, Assembly Bill No. 154—Claim of George A. Sturtevant	314 72
Total	$110,314 72

Recapitulation.

Total amount of appropriations referred to this committee to date	$2,635,824 92
Total appropriations reported favorably	1,318,872 44
Total appropriations reported unfavorably	376,080 40
Amount of appropriations withdrawn	397,814 72
Total appropriations remaining with committee	543,057 36

Respectfully submitted.

GUY, Chairman.

Ordered printed in the Journal.

INTRODUCTION OF BILLS.

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

By Mr. Hill: Assembly Bill No. 820—An Act to amend Section 1446 of the Penal Code of the State of California, relating to fine and imprisonment.

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

Also: Assembly Bill No. 821—An Act to amend Section —— of the Civil Code of the State of California, relating to building and loan associations.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 822—An Act to amend Section 1382 of the Penal Code of the State of California, relating to the dismissal of actions.

Read first time, and referred to Committee on Judiciary.

By Mr. Cartwright: Assembly Bill No. 823—An Act to amend Section 977 of the Code of Civil Procedure of California.

Read first time, and referred to Committee on Judiciary.

By Mr. McGrath: Assembly Bill No. 824—An Act to empower the Common Council, Board of Trustees, Board of Supervisors, or other legislative or other governing body of cities, or cities and counties, having a population of over one hundred thousand, to pension the widows of firemen.

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

Also: Assembly Bill No. 825—An Act to provide that the public may have access to the James Lick baths free of charge.

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

By Mr. Arnerich: Assembly Bill No. 826—An Act empowering peace officers to receive rewards for the arrest, conviction, or apprehension of persons accused of crime.

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

By Committee on Corporations: Assembly Bill No. 827—An Act to amend Section 3664 of the Political Code, as amended by an Act approved March 9, 1883, and Section 3665 of the Political Code, as amended by an Act approved March 31, 1891.

Read second time, ordered engrossed, and to third reading.

By Mr. Pohlman: Assembly Bill No. 828—An Act to provide for the appointment of a mining inspector in each congressional district in the State, to define his duties, and provide for his compensation and the liability of mining operators.

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

By Mr. Austin: Assembly Bill No. 829—An Act to keep open and preserve natural channels, not navigable, which run through agricultural lands, and which are subject to overflow, to the injury of such lands, and to prescribe the duty of Boards of Supervisors in relation thereto.

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

By Mr. Dryden: Assembly Bill No. 830—An Act to forfeit the charter of railroad corporations in certain cases.

Read first time, and referred to Committee on Corporations.

Also: Assembly Constitutional Amendment No. 35—Proposed amendment to Article IV of the Constitution, relative to the selection of members of the Legislature.

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

By Mr. Bettman: Assembly Bill No. 831—An Act to punish parents, guardians, or persons permitting the malformation, etc., of minor children.

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

By Mr. Valentine: Assembly Bill No. 832—An Act to amend Sections 364 and 680 of the Political Code, and to add a new section thereto, to be known as Section 686 of the Political Code, all relating to the State Board of Examiners.

Read first time, and referred to Committee on Judiciary.

By Mr. Treacy: Assembly Bill No. 833—An Act to authorize the Board of Education of the City and County of San Francisco to lease a school lot in said city and county.

Read first time, and referred to the San Francisco Delegation.

By Mr. Anderson: Assembly Bill No. 834—An Act to prohibit the creation of debts against the State in excess of appropriation made by law, except in cases of actual necessity, and on consent of the Board of Examiners.

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

By Mr. Goodhue: Assembly Bill No. 835—An Act authorizing and directing District Attorneys to bring suits to abate public nuisances.

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

By Committee on Commissions, Retrenchment, and Public Expenditures: Assembly Bill No. 836 (Substitute for Assembly Bill No. 580)—An Act to provide for the purchase of the Codes and Statutes furnished to the members of the Legislature of the State of California.

Read first time, and placed on file for second reading.

By Mr. Melick: Assembly Bill No. 837—An Act to amend Section 1076 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to support of husband and wife.

Read first time, and referred to Committee on Judiciary.

By Mr. Coombs: Assembly Constitutional Amendment No. 36—Proposition to amend Section 15 and Section 16 of Article V of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

By Mr. Melick: Assembly Bill No. 838—A bill to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 79 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.

By Mr. Bridgford: Assembly Bill No. 839—An Act making an appropriation to pay the claim of Marion Pirkey, for moneys advanced to the National Guard of California.

By Mr. Guy: Assembly Bill No. 840—An Act to provide for an appropriation for the contingent expenses of the Assembly.

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

By Mr. Waymire: Assembly Bill No. 841—An Act providing for the maintenance and support of illegitimate children.

Read first time, and referred to Committee on Judiciary.

RESOLUTIONS.

By Mr. Bettman:

Resolved, That the Controller is hereby authorized and directed to draw his warrant upon the Contingent Fund of the Assembly, in favor of the Secretary of State, for the sum of $381 90, and the State Treasurer is hereby directed to pay the same; said sum to be in payment of two hundred and forty Keystone patent binders heretofore ordered by this House.

On motion of Mr. Bettman, the rules were suspended and the resolution adopted.

At twelve o'clock and twenty minutes P. M., the Speaker called Mr. Belshaw to the chair.

By Mr. Cutter:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, in favor of F. H. Lumbard and R. M. Richardson, for the sum of $200 each, and in favor of Ida I. Woodworth for the sum of $54 60, the same being for services as stenographers, reporting and transcribing the testimony taken by the special committee of investigation of the temporary organization of the House.

On motion of Mr. Cutter, the rules were suspended and the resolution adopted.

MOTIONS.

Mr. Bridgford moved that Assembly Bill No. 304 be made the special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

Mr. Bridgford moved that Senate Bill No. 120 be substituted for Assembly Bill No. 145, and it be placed on the Senate special file.

So ordered.

CONCURRENT RESOLUTION.

By Mr. Dryden: Assembly Concurrent Resolution No. 5—Relative to forfeiting the charters of certain railroad corporations.

Introduced, read, and referred to Committee on Federal Relations.

RESOLUTION.

By Mr. Landsborough:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to purchase for the use of Assemblyman J. K. Burnett one set of the latest edition of the Codes, to be paid for out of the Contingent Fund of the Assembly, and the Controller is hereby authorized to draw his warrant in payment of the same.

On motion of Mr. Landsborough, the rules were suspended and the resolution adopted.

MOTIONS.

Mr. North, of Yolo, moved that Assembly Bill No. 607 be made a special order for Friday, immediately after the reading of the Journal.

So ordered.

Mr. Dibble moved that the House take a recess at four o'clock P. M. until seven o'clock and thirty minutes P. M., and that the third-reading file be made the special order for said evening session.

So ordered.

RECESS.

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

REASSEMBLED.

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

Quorum present.

SPECIAL ORDER.

REPORT OF SPECIAL COMMITTEE OF INVESTIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, ———, 1897.

MR. SPEAKER: The special committee appointed to investigate the temporary organization of the Assembly have performed that duty, and herewith submit their report.

The amended resolution authorizing the investigation is as follows:

WHEREAS, Charges of a serious nature have been made relative to frauds said to have been practiced during the temporary organization of this Assembly; and

WHEREAS, The Chief Clerk of the Assembly, S. J. Duckworth, is charged with complicity therein, and he denies said charges; therefore, be it

Resolved, That a special committee of seven be named by the Speaker of this Assembly to investigate all of said charges relative to the organization of this House, and to report its findings to this House. Said committee shall have full power to subpœna witnesses, administer oaths, take testimony, and such other powers as shall be necessary for the full performance of their duties.

Under this resolution the power of the committee is restricted to reporting its findings. This we understand includes the power to express an opinion, but does not include the power to make recommendations.

The resolution was adopted January 26, 1897, and the committee began its work the same day. Mr. Chynoweth, of the Assembly, has kindly attended all our sessions, and given valuable assistance, in the examination of witnesses. Mr. Duckworth was represented by counsel, and the committee has heard the testimony of all witnesses whose presence was deemed important. The reporters' transcript of the testimony and the exhibits are submitted herewith, and are referred to for information as to details.

The only statute concerning the attachés who must be present at the organization of the Assembly is Section 237 of the Political Code, which is as follows:

"The Secretary of the Senate, the Minute Clerk, and Sergeant-at-Arms of each house for any session must, at the next succeeding session of the body, perform the duties of their offices until their successors are elected and qualified."

It is evidently the intention of this law that only the Chief Clerk of the Assembly, the Minute Clerk, and the Sergeant-at-Arms of the Assembly should hold over from one session to another. They are required to attend, and are, therefore, entitled to mileage. No other attachés have any claim to mileage. It is also clear that the law contemplates that these officers should ordinarily be sufficient to organize the Assembly. It does not, however, expressly prohibit the employment of other attachés, and it has been the custom of the Assembly for many years to employ additional help. The number so employed has increased each session, until the rolls for 1893 show a total of twenty-eight, and those of 1895 show forty-nine. A careful inquiry as to the actual work to be done at the organization of the Assembly convinces us that the following would be an ample force: A Chief Clerk, Chaplain, Minute Clerk, Sergeant-at-Arms, one Assistant Sergeant-at-Arms, Postmistress, Mail Carrier, three Gatekeepers, and five Pages—fifteen in all. Their total per diem should not exceed $74. We find that at the organization of the present Assembly the Chief Clerk appointed attachés as follows:

Assistant Clerks	10
Assistant Minute Clerks	6
Assistant Sergeants-at-Arms	6
Clerk to Sergeant-at-Arms	1
Journal Clerk	1
Assistant Journal Clerks	4
Engrossing Clerk	1
Assistant Engrossing Clerks	6
Enrolling Clerk	1
Assistant Enrolling Clerks	5
Postmistress	1
Assistant Postmistress	1
History Clerk	1
Assistant History Clerks	3
Porters	17
Bookkeeper to Sergeant-at-Arms	1
Bill Clerks	6
File Clerks	6

Chaplain	1
Mail Carrier	1
Janitress	1
Doorkeepers	6
Watchmen	6
Pages	12
Elevator Attendants	2
Messenger to State Printer	1
Electrician	1
Gatekeepers	2
Position not designated (Ella Bateman)	1
Total	112

The total amount allowed for per diem was $3,961 30, and for mileage, other than to statutory officers, $303 80. Total, $4,265 10. As already stated, we find that fifteen attachés—twelve in addition to the three statutory officers—would have been ample, and the aggregate of the per diem that should have been allowed at this session is $74. This includes the $24 of per diem to the Chief Clerk, Sergeant-at-Arms, and Minute Clerk For the necessary additional attachés $50 was sufficient and all that should have been paid. We find, therefore, that $4,215 10 has been paid out in excess of the sum actually necessary.

None of the attachés should be paid for more time than they serve. It has been the custom to allow per diem for an entire week, on the plea that the attachés come to the Capital at a sacrifice of time which makes it proper. There is no justice in this claim. The statute only requires three officers to attend, and there is sufficient compensation to them, for the time occupied in coming and going, in the mileage allowed by law, which always exceeds the actual traveling expenses. The other attachés are not required to attend, and if they do so voluntarily they have no right to ask pay for extra time. As a matter of fact they usually come to seek reëmployment.

In this connection we must say that the Committee on Mileage, in our opinion, were grossly negligent, not only in recommending mileage, but also in recommending the payment of a full week's pay to all the attachés. It was their duty to diligently inquire into all the facts, as their report was designed to guide the Assembly Had they made proper inquiry of any experienced member, they would at once have discovered the illegality of the surplus appointments, and would have prevented the evil consequences resulting:

We feel it our duty, also, to say that all the members of the Assembly who voted for the adoption of the report of that committee are censurable for their negligence Had they given the matter the proper attention, they would have learned that the report was wrong, and that the payments recommended were without any justification whatever, in so far as the excessive appointments were concerned. It is apparent that those who had previously served in the Legislature are more to blame than those who were just entering upon their first experience. The testimony shows that a portion of the attachés were appointed with the knowledge and at the request of the members, as follows:

Frank Barnett, by Mr. Leavitt; J L. Oliver, by Mr. Wright; H. A. Jackson and I. Erb, by Mr. Kelly; Ben Martin, by Mr. Caminetti; James Devitt, M. Aronson, J. Wintringer, and C. Ewing, by Mr Henry; J. C. Gross (at request of Mr. Cross), by Mr. Vosburg; James Bowen and S H. Wilson, by Mr Breiling; Donald O Bruce, by Mr. Dibble; W. J. Keating, by H. H. North; John Wise, by Mr. J. W. Power; R. M. Richardson and Mrs. W. Sampson, by Mr. Valentine; W. H Rice (at request of Mr. Bettman), by Mr. Harris; T Smith, by Mr. Dolan; W S. Kingsbury, by Mr. Kenyon; F. C. Smyth, by Mr. Chynoweth, A. H. Smith, by Mr. Belshaw; A. S Vischer, by Mr. Jones; N. G. Duckworth, by Mr. Treacy; George North, by A. W. North; W. Levinson and E. Sheridan, by Mr. Dennery; W Bullock, W. Hopkins, and W S Staley, by Mr. Price, J Brooks, by Mr. Bettman; Charles Forbes, by Senator Voorheis; Ray Byron, by Mr. Arnerich.

Mr. Jones admitted that in the case of J. P. Devine, A. A. Friedlander, S. Voorsanger, and R. Blakeston, he authorized them to use his name.

We think the members who requested appointments, or lent their names to justify them, are specially deserving of censure Yet it is to be said in their defense that they had a right to make request for appointments, knowing that some should be made, and that they had a right to presume the Chief Clerk would do his duty and make no more appointments than were actually necessary for the public service. With much more force it may be said in defense of all the members that they were occupied largely in the consideration of the Senatorial contest, and in the examination of the numerous and voluminous printed reports of public officers preparatory to the commencement of their legislative labors. While thus occupied they had a right to trust the Chief Clerk to attend to the details of the organization He had nothing to do but to organize the House. His mind was free from other cares. He had been a member of the Legislature, and had served as Chief Clerk at the last session. It was fair to presume that he was familiar with the duties of his office, and would honestly perform them.

We are of the opinion, and so find, that the Chief Clerk deliberately and intentionally appointed the aforesaid unnecessary attachés. He offers no excuse for his conduct, except the desire to reward the persons appointed for their political services. He has even declared to representatives of the press that if the law is not changed, he will, at

the next session of the Legislature, pursue the same course, even to the extent of exhausting the Contingent Fund of the Assembly, by appointing, if requisite for that purpose, a thousand attachés.

This is the unfortunate culmination of a bad practice, which has increased session after session, in consequence of the importunities of people who come to look upon politics as a trade—a means of gaining a living. They seem to forget that the members of the Legislature are but the people themselves, assembled in their representative capacity—assembled for the purpose solely of legislating for the common good of the whole State. They disregard the fact that representatives are trustees, and have no right to expend one dollar of the public funds without a fair equivalent in service or material; that every dollar paid out from the public treasury for an unnecessary servant is money deliberately perverted in violation of a sacred trust. They work for their party, it is true, but should, if they are good citizens, do so because they believe that the success of their party is necessary to good government, in which they as well as others are concerned. In other words, they work for themselves when they work for their party.

The Chief Clerk is a man of unusual intelligence, and no one understands better than he how indefensible is his conduct. We are happy to say that the evidence does not disclose any attempt on his part to profit financially by his appointments; but this fact by no means justifies his conduct. By the unnecessary appointments he has made he has enabled others to abstract from the public treasury a large sum of money which it will be difficult, if not impossible, to recover. His example, if unrebuked, would be imitated by others in the future, and this disgraceful abuse, instead of being stopped at once and forever, as it should be, will go on increasing until its evil effects are felt in other departments of the public service. It is not necessary to multiply words in condemnation of his action. While we believe a complete remedy will require legislation, either in amendment to the statute or of the Constitution, or both, we think also that it is necessary that the one who, by showing himself unworthy of the trust reposed in him, has brought about this unfortunate state of affairs, should be made to suffer As we have already stated, we find no authority in the resolution under which we are acting to authorize us to recommend any specific punishment, and we must leave that to the judgment of the House. We are also of the opinion that steps should be taken to recover from the attachés now in the service all the mileage paid them, and we specially call the attention of the House to the case of Mr. Hocking, to whom has been paid the sum of $117 60 for mileage. He is now acting in the capacity of bookkeeper to the Sergeant-at-Arms.

Respectfully submitted.

WAYMIRE, Chairman.
EMMONS.
KENYON.
STANSELL.
BOONE.
STRAIN.

Mr. Mead moved to amend paragraph 4, on page 20 of the Journal of February 5th, containing said report, by inserting, after the word mileage, "except those that were not present or did not join in the report," and also strike out the following:

Shows that a portion of the attachés were appointed with the knowledge and at the request of the members, as follows:

Frank Barnett, by Mr. Leavitt; J. L Oliver, by Mr. Wright; H. A. Jackson and I. Erb, by Mr. Kelly; Ben Martin, by Mr. Caminetti; James Devitt, M Aronson, J. Wintringer, and C. Ewing, by Mr. Henry; J. C. Gross (at request of Mr. Cross), by Mr. Vosburg; James Bowen and S. H. Wilson, by Mr Breiling; Donald O. Bruce, by Mr Dibble; W J. Keating, by H. H. North; John Wise, by Mr. J W. Power; R. M. Richardson and Mrs. W. Sampson, by Mr. Valentine; W. H. Rice (at request of Mr Bettman), by Mr. Harris; T. Smith, by Mr. Dolan; W. S. Kingsbury, by Mr. Kenyon; F. C Smyth, by Mr. Chynoweth; A. H. Smith, by Mr. Belshaw; A. S. Vischer, by Mr Jones; N. G. Duckworth, by Mr Treacy; George North, by A. W. North; W. Levinson and E. Sheridan, by Mr. Dennery, W. Bullock, W. Hopkins, and W. S. Staley, by Mr Price; J. Brooks, by Mr. Bettman; Charles Forbes, by Senator Voorheis, Ray Byron, by Mr Arnerich.

Mr. Jones admitted that in the case of J. P. Devine, A. A. Friedlander, S. Voorsanger, and R. Blakeston, he authorized them to use his name

We think the members who requested appointments, or lent their names to justify them, are specially deserving of censure. Yet it is to be said in their defense that they had a right to make requests for appointments, knowing that some should be made, and that they had a right to presume the Chief Clerk would do his duty and make no more appointments than were actually necessary for the public service. With much more force it may be said in defense of all the members that they were occupied largely in the consideration of the Senatorial contest, and in the examination of the numerous and voluminous printed reports of public officers preparatory to the commencement of their legislative labors. While thus occupied, they had a right to trust the Chief Clerk to attend to the details of the organization. He had nothing to do but to organize the

House His mind was free from other cares. He had been a member of the Legislature, and had served as Chief Clerk at the last session. It was fair to presume that he was familiar with the duties of his office, and would honestly perform them.

Mr. Cutter moved to divide the amendments of Mr. Mead and vote upon them separately.

So ordered.

PREVIOUS QUESTION.

Pending consideration of the subject, the previous question was demanded by Messrs. Cross, Leavitt, and Dibble.

The question being on the first division of Mr. Mead's motion.

The ayes and noes were demanded by Messrs. Leavitt, Waymire, and Cross.

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

AYES—Messrs. Aldridge, Allen, Anderson, Belshaw, Boone, Breiling, Bridgford, Caminetti, Canavan, Cartwright, Clarke, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Hill, Houghton, Keegan, Lacy, Landsborough, Leavitt, Mahoney, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Power of San Francisco, Robinson, Ryan, Sanford, Sims, Shanahan, Soward, Toland, Treacy, Vosburg, Wright, and Mr Speaker—46.

NOES—Messrs. Arnerich, Austin, Burnham, Chynoweth, Cross, Cutter, Damon, Dennery, Fontana, Goodhue, Guy, Harris, Henry, Hudson, Jones, Keables, Kelly, Kenyon, Lindenberger, Malcolm, Mulcrevy, Pohlman, Power of Placer, Price, Stansell, Strain, Valentine, and Waymire—28.

The question being on the second division of the amendment.

The ayes and noes were demanded by Messrs. Waymire, Leavitt, and Shanahan.

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

AYES—Messrs. Aldridge, Allen, Anderson, Belshaw, Breiling, Burnett, Canavan, Cartwright, Clarke, Dibble, Dolan, Elliott, Emmons, Gately, Godfrey, Guy, Houghton, Lacy, Leavitt, Mead, Melick, McCandlish, McClellan, North of Alameda, North of Yolo, Robinson, Sanford, Soward, Toland, Treacy, Wright, and Mr. Speaker—32.

NOES—Messrs Arnerich, Austin, Bettman, Boone, Bridgford, Burnham, Chynoweth, Cross, Cutter, Damon, Dennery, Dryden, Ennis, Fontana, Foreman, Goodhue, Harris, Henry, Hill, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Landsborough, Lindenberger, Malcolm, Mulcrevy, McGrath, McLaurin, Pohlman, Power of Placer, Power of San Francisco, Price, Sims, Shanahan, Stansell, Strain, Valentine, Vosburg, and Waymire—42.

PROTESTS.

By Mr. North, of Alameda:

I deny that my action in this matter is deserving of censure. I simply recommended, as a fit person to be placed on the temporary roll, one W. J. Keating, and I was not present when the report of the committee was handed in and adopted, and was not cognizant of the true state of affairs until it was too late to change matters.

By Mr. North, of Yolo:

I was a clerk at the desk during the session of 1895. During the first week of said session my predecessor held over. After my election to this House I received a letter from the Chief Clerk, in which he asked me to name a substitute to act during the reorganization. I did so. In so doing I believe that no guilt attached either to the Clerk, to my appointee, or to myself

The question now recurring upon the report of the committee as amended.

The ayes and noes were demanded by Messrs. Chynoweth, Waymire, and Cross.

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

AYES—Messrs. Anderson, Belshaw, Bettman, Boone, Bridgford, Burnham, Cartwright, Chynoweth, Cross, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Fontana, Goff, Hill, Hudson, Keables, Kelly, Kenyon, Lacy, Lindenberger, Mead, Melick, Mulcrevy, McClellan, McLaurin, North of Alameda, North of Yolo, Power of Placer, Price, Shanahan, Soward, Stansell, Strain, Vosburg, Waymire, Wright, and Mr Speaker—41.

NOES—Messrs Aldridge, Allen, Arnerich, Austin, Breiling, Burnett, Canavan, Clarke, Dolan, Ennis, Foreman, Gately, Godfrey, Goodhue, Guy, Harris, Henry, Houghton, Landsborough, Mahoney, Malcolm, McCandlish, McGrath, Pohlman, Power of San Francisco, Robinson, Rubell, Sanford, Sims, Toland, and Treacy—31.

Mr. Mead moved to expunge from the record the following:

The testimony shows that a portion of the attachés were appointed with the knowledge and at the request of the members, as follows:

Frank Barnett, by Mr. Leavitt; J. L. Oliver, by Mr. Wright; H. A. Jackson and I. Erb, by Mr. Kelly; Ben Martin, by Mr. Caminetti; James Devitt, M. Aronson, J. Wintringer, and C. Ewing, by Mr. Henry, J. C Gross (at request of Mr. Cross), by Mr. Vosburg; James Bowen and S. H. Wilson, by Mr. Breiling; Donald O. Bruce, by Mr. Dibble; W. J. Keating, by H. H. North; John Wise, by Mr. J. W. Power; R. M. Richardson and Mrs. W. Sampson, by Mr. Valentine; W. H. Rice (at request of Mr. Bettman), by Mr. Harris; T. Smith, by Mr. Dolan; W. S. Kingsbury, by Mr. Kenyon; F. C. Smyth, by Mr. Chynoweth; A. H. Smith, by Mr. Belshaw; A. S. Vischer, by Mr. Jones; N. G. Duckworth, by Mr. Treacy; George North, by A. W. North; W. Levinson and E. Sheridan, by Mr. Dennery; W. Bullock, W. Hopkins, and W. S. Staley, by Mr. Price; J. Brooks, by Mr. Bettman; Charles Forbes, by Senator Voorheis; Ray Byron, by Mr. Arnerich.

Mr. Jones admitted that in the case of J. P. Devine, A. A. Friedlander, S. Voorsanger, and R Blakeston, he authorized them to use his name.

We think the members who requested appointments, or lent their names to justify them, are specially deserving of censure.

Mr. Bridgford moved as a substitute:

Resolved, That whereas, under the previous question, it was held improper to amend the report of the Committee of Investigation, which appears upon pages 20 and 21 of the Journal of February 5th, so as to exclude from censure those merely requesting appointments; now, therefore, be it

Resolved, That we absolve such persons as merely requested the Chief Clerk to make appointments to the temporary roll without knowing how many appointments were to be made.

Lost.

Mr. Bettman moved to expunge from the minutes the words, "It is apparent that those who had previously served in the Legislature are more to blame than those who are just entering upon their first experience."

Lost.

Mr. Keables moved as a substitute for Mr. Bettman's amendment:

I move to further amend by striking from the report the names of any persons who in any way feel that the report reflects upon them, and for those members who are not mentioned by name, but feel they are, by implication, to have their names recorded as not guilty.

Lost.

Mr. Malcolm moved the following amendment to Mr. Mead's motion:

Expunge all of line 2, in the first paragraph of page 21, after the word "them."

Lost.

Mr. Dibble moved that the hour of recess be extended ten minutes.

So ordered.

AMENDMENT.

By Mr. Hill:

Amend by striking out of paragraph 1, on page 21, the first two lines which censure members requesting appointments, and inserting the following: "The members of the Assembly are especially deserving of censure."

Mr. Malcolm moved, as a substitute for Mr. Hill's amendment, the following:

Expunge from the minutes all of line 2, in the second paragraph, page 21, after the word "them."

Adopted.

The question now before the Assembly being the substitute of Mr. Malcolm for the original motion of Mr. Mead.

Adopted.

PROTEST.

By Mr. Belshaw:

I protest against my name appearing on the list of names of those to whom the Chief Clerk charged his temporary appointees, because my request for the appointment of A. H. Smith as temporary Page was not given before the 5th day of January, and was then only given with the understanding that said Smith was on the temporary roll and required the recommendation in order to draw his pay.

Mr. Dibble moved that the hour of recess be extended fifteen minutes.

So ordered.

Mr. Dibble moved to reconsider the motion whereby the House was to take a recess at four o'clock P. M., and to convene again at seven o'clock and thirty minutes P. M.

So ordered.

RESOLUTIONS.

By Mr. Waymire:

Resolved, That all the attachés to whom mileage has been paid, except the Chief Clerk, Sergeant-at-Arms, and Minute Clerk, be and they are hereby required to refund to the Sergeant-at-Arms the sums received by them as mileage, and that the Sergeant-at-Arms be and he is hereby directed to return said sum to the Contingent Fund of the Assembly.

Adopted.

Also:

WHEREAS, The committee heretofore appointed by this Assembly to investigate the irregularities attending the temporary organization of the Assembly have, after a patient consideration of all the facts, found that one hundred attachés in excess of those actually required were appointed to assist in the temporary organization, thereby leading to an unnecessary expenditure of $4,215 80; and

WHEREAS, The said committee has also found that the said attachés were deliberately and intentionally appointed by the Chief Clerk, with the knowledge that they were not necessary, and for the avowed purpose of rewarding the persons so appointed for party services; and

WHEREAS, The said committee has further found that the Chief Clerk has declared that, unless the law shall be changed, he will, at the next session of the Legislature, appoint enough attachés at the temporary organization to exhaust the Contingent Fund of the Assembly, even if for that purpose it be necessary to appoint a thousand attachés; now, therefore, be it

Resolved, That in the opinion of the Assembly, S. J. Duckworth, Chief Clerk of the Assembly, is guilty of a violation of the trust reposed in him; that it is unwise to continue him in office, and that he is hereby removed from office, from and after the passage of this resolution.

Mr. Dibble moved to indefinitely postpone.

PREVIOUS QUESTION.

Pending the consideration of the question, the previous question was demanded by Messrs. Malcolm, Jones, and Cutter.

The ayes and noes were demanded by Messrs. Shanahan, Chynoweth, and North of Alameda.

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

AYES—Messrs. Allen, Arnerich, Bettman, Breiling, Canavan, Clarke, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Gately, Goff, Goodhue, Guy, Harris, Henry, Hudson.

Jones, Keables, Kelly, Kenyon, Leavitt, Mahoney, Mulcrevy, McCandlish, McGrath, Pohlman, Sims, Stansell, and Strain—32.

NOES—Messrs. Aldridge, Anderson, Austin, Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Cross, Dolan, Dryden, Elliott, Emmons, Foreman, Godfrey, Hill, Houghton, Keegan, Lacy, Landsborough, Lindenberger, Malcolm, Mead, Melick, McClellan, McLaurin, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Sanford, Shanahan, Soward, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—46.

The question recurring upon the resolution.

By unanimous consent, Chief Clerk Duckworth was granted leave to address the Assembly in his own defense.

Mr. Duckworth was heard in his own behalf.

The roll was called.

Pending roll call Mr. Cutter moved that Mr. Dryden be excused from voting.

Motion lost.

Mr. Leavitt moved that Mr. Foreman be excused from voting.

Motion lost.

Mr. Keables asked to be excused from voting.

Request not granted.

Mr. Keegan asked to be excused from voting.

Request not granted.

Mr. Leavitt moved that Mr. Rubell be excused from voting.

Motion lost.

Pending announcement of result, Mr. Caminetti moved that names of absentees be called.

Absentees were called.

The result of the roll call was announced, and showed the resolution lost by the following vote:

AYES—Messrs. Anderson, Austin, Belshaw, Boone, Bridgford, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Dryden, Elliott, Emmons, Houghton, Keegan, Lacy, Lindenberger, Mead, Melick, McClellan, North of Alameda, North of Yolo, Power of Placer, Sanford, Shanahan, Soward, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—34.

NOES—Messrs. Aldridge, Allen, Arnerich, Bettman, Breiling, Burnett, Clarke, Cutter, Damon, Dennery, Dibble, Dolan, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Kenyon, Landsborough, Leavitt, Mahoney, Mulcrevy, McCandlish, McGrath, McLaurin, Pohlman, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sims, Stansell, and Strain—44.

ADJOURNMENT.

At five o'clock and thirty-five minutes P. M., on motion of Mr. Dibble, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 11, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Tuesday, February 9th, was approved as corrected.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 482—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, and to appoint a secretary therefor, to assist said court in the performance of its duties and in the disposition of numerous causes pending in said court, and to provide for the compensation of said commissioners and secretary, and to appropriate money therefor.

Also: Assembly Bill No. 681—An Act concerning bridges across navigable streams

AUSTIN, Chairman.

At ten o'clock and fifty-five minutes A. M., the Speaker called Mr. Stansell to the chair.

SPECIAL ORDERS.

Assembly Bill No. 304—An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing and directing him and them to perform certain duties relating to drainage; to purchase machinery, tools, dredgers, and appliances therefor; to improve and rectify water channels; to erect works necessary and incident to said drainage; to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act.

Read third time.

Mr. Belshaw moved that Mr. Caminetti be granted ten minutes further time in his discussion of Assembly Bill No. 304.

So ordered.

At twelve o'clock and thirty minutes P. M., Speaker Coombs resumed the chair.

MOTION.

Mr. Cutter moved that the hour of recess be extended thirty minutes.

So ordered.

PREVIOUS QUESTION.

Pending consideration of the subject, the previous question was demanded by Messrs. McClellan, North of Alameda, and Cross.

The question being on the final passage of the bill.

Pending the roll call, Mr. Cutter moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll being called.

Pending the call, Mr. Cutter moved that further proceedings under call of the House be dispensed with.

So ordered.

Mr. Cutter again moved a call of the House.

So ordered.

CALL OF THE HOUSE.

Pending the call of the roll, Mr. Cutter moved that further proceedings under call of the House be dispensed with.

So ordered.

Mr. Cutter again moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Houghton, Hudson, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

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

So ordered.

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

AYES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnett, Burnham, Caminetti, Clarke, Cross, Cutter, Damon, Dennery, Ennis, Fontana, Foreman, Goff, Goodhue, Guy, Harris, Hill, Keables, Kenyon, Landsborough, Leavitt, Malcolm, Mead, North of Alameda, North of Yolo, Power of Placer, Price, Robinson, Sanford, Sims, Soward, Stansell, Strain, Valentine, and Wright—41.

NOES—Messrs. Aldridge, Allen, Boone, Canavan, Cartwright, Chynoweth, Dibble, Dolan, Dryden, Elliott, Emmons, Gately, Godfrey, Houghton, Hudson, Keegan, Kelly, Lacy, Lindenberger, Mahoney, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Pohlman, Power of San Francisco, Rubell, Ryan, Shanahan, Toland, Treacy, Vosburg, Waymire, and Mr. Speaker—36.

Title read and approved.

Mr. Cutter moved that Assembly Bill No. 304 be immediately transmitted to the Senate.

So ordered.

LEAVE OF ABSENCE.

Mr. Belshaw was granted leave of absence for the balance of the day.

Mr. Keegan moved to re-refer Assembly Constitutional Amendment No. 25 to Committee on Constitutional Amendments.

So ordered.

RECESS.

At one o'clock and fifteen minutes P. M., on motion of Mr. Dennery, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock and ten minutes P. M.

Speaker Coombs in the chair.

Quorum present.

PROTEST.

Mr. Keables offered the following, and asked that the same be published in the Journal.

So ordered.

I was compelled yesterday, by order of the House, to vote on the matter of the dismissal of the Chief Clerk of this Assembly. I desire to offer this explanation, which is solely personal: After the censure embodied in the report of the committee of investigation, as applied to members who had participated in the appointment of temporary attachés, I was not prepared to vote for the expulsion of the Chief Clerk, neither was I willing to exonerate him from all blame, as the action of the House forced me to take part in doing. To vote either aye or no on the resolution would not record my judgment on the matter. I asked to be excused from voting at all on the matter, as then presented. This courtesy was denied me by the House, and I was forced to vote no, or else do what I considered, under the then existing circumstances, would be an injustice. That is something that I will not knowingly do to any man.

THOMAS A. KEABLES.

SPECIAL ORDERS—(RESUMED).

Mr. Dibble moved that all special orders set for this hour be deferred until Assembly Bill No. 742 be considered.

So ordered.

Assembly Bill No. 742—An Act to amend 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 directions in the discharge of his duties as such commissioner," approved March 24, 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. Aldridge, Arnerich, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Jones, Keables, Kelly, Kenyon, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Mulcrevy, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Robinson, Sims, Shanahan, Soward, Stansell, Strain, Valentine, Waymire, Wright, and Mr. Speaker—56.

NOES—Messrs. Allen, Boone, Dolan, Elliott, Keegan, Lacy, Melick, McCandlish, McClellan, McGrath, Rubell, Ryan, Sanford, Toland, and Treacy—15.

Title read and approved.

Mr. Soward moved that Assembly Bill No. 742 be immediately transmitted to the Senate.

So ordered.

Mr. Price moved that the special orders be deferred, and he be allowed to make report of Committee on Agriculture out of order.

Motion lost.

Assembly Bill No. 681—An Act concerning bridges across navigable streams.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Boone, Breiling, Bridgford, Burnett, Caminetti, Canavan, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Waymire, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Assembly Bill No. 681 ordered immediately transmitted to the Senate.

Assembly Bill No. 730—An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes.

Passed on file temporarily.

Assembly Bill No. 263—An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year.

Mr. Caminetti called up the report of the Committee on Commissions, Retrenchment, and Public Expenditures as a special order preceding the Governor's objections to Assembly Bill No. 263.

REPORT OF COMMITTEE ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

MR SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred the following resolution, viz.:

Resolved, That a special committee of five be appointed for the purpose of ascertaining the actual necessity for the expenditures made in the State Printing Office for the last fiscal year, with power to send for persons and papers, and to administer oaths.

Respectfully submit the following as a partial report of the proceedings held before it:

As authorized so to do, your committee caused to appear before it A. J. Johnston, State Printer, E. S. Hadley, bookkeeper State Printing Office, and Harry Rogers, foreman of the mechanical department, and called for such books and papers as the members of the committee deemed necessary in making investigations.

In addition to the above named persons, your committee caused to be subpœnaed as witnesses E. A. Bridgford and A. Caminetti, members of the Assembly, and James H. Budd, Governor of the State of California. Of the above named persons, his Excellency the Governor alone refused to answer in person.

From the testimony of the above witnesses, and as a result of a partial experting made on Monday, February 8th, of the books and accounts kept in the office of the State Printer, your committee finds an apparent irregularity.

From the evidence at hand, and because of the limited time at its command, your committee cannot give an exact reason for the existence of the apparent irregularity.

Your committee finds further, that in the matter of the publication of State documents the method is of such character as tends to unnecessary expenditure of State moneys, that the so-called "legislative printing account" is loosely conducted, a condition for which the Legislature itself is in some measure responsible, because of the failure to heretofore enact such legislation as would have rendered impossible the existing conditions. To meet these conditions, your committee has in the course of preparation

measures of legislation which, if enacted, will serve to correct the existing methods of questionable expenditures in these departments.

In view of these conditions, and the further fact that the State Printing Fund for the forty-seventh and forty-eighth fiscal years has been exhausted since January 18, 1897, and that an additional appropriation is needed to complete the work in hand, and rapidly accumulating in the office of the State Printer, your committee respectfully recommends:

First—That one or more expert accountants be provided for, to make such expert investigation of the books of the State Printer as may be necessary to definitely locate and account for the apparent irregularities and inconsistencies as shown on the face of the accounts of the State Printing Office for the forty-seventh and forty-eighth fiscal years

Second—That the Assembly provide for the appropriation of the moneys needed to carry on and complete the work of the State Printing Office for the balance of the forty-eighth fiscal year.

MELICK, Chairman.
ANDERSON.
BURNETT.
DRYDEN.
FOREMAN.
HILL.

SACRAMENTO, CAL., February 11, 1897.

Inasmuch as we, the undersigned, were unavoidably absent at the time of the expert-ing of the accounts of the office of the State Printer, we do not feel competent to indorse an opinion in regard to the irregularity mentioned in the appended report.

We, however, indorse the recommendations of the committee.

A. W. NORTH.
BURNHAM.
STANSELL.

ACTION ON THE GOVERNOR'S MESSAGE.

Pending the reading of the Governor's message relative to Assembly Bill No. 263, Mr. Price moved that the further reading be dispensed with.

So ordered.

At three o'clock and thirty minutes P. M., the Speaker called Mr. Kenyon, Speaker pro tem., to the chair.

The question before the Assembly being Assembly Bill No. 263, and the message of the Governor vetoing said bill.

At four o'clock and forty minutes P. M., Speaker Coombs resumed the chair.

The question being, "Shall Assembly Bill No. 263 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. Anderson, Arnerich, Austin, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Golf, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Kenyon, Landsborough, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—46.

NOES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Houghton, Keegan, Lacy, Leavitt, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—32.

NOTICE OF RECONSIDERATION.

Pending the announcement of the roll call, Mr. Leavitt gave notice that on next legislative day he would move to reconsider the vote whereby the Governor was sustained in his veto of Assembly Bill No. 263.

Mr. Dibble moved that the rules be suspended, and the report of

Committee on Rules, setting apart Friday evening for considering certain bills on special urgency file, be adopted.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 730—An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes.

Read second time.

The following amendments were submitted:

COMMITTEE AMENDMENT NO. 1.

In Section 3, line 3, of the printed bill, at the end thereof, after the word "Act," insert the following: "*provided*, that if more than one appeal be taken they shall be consolidated and tried together."

Adopted.

COMMITTEE AMENDMENT NO. 2.

In Section 5, line 6, of the printed bill, after the word "division," insert the following: "by the electors thereof."

Adopted.

COMMITTEE AMENDMENT NO. 3.

In Section 11, line 3, of the printed bill, substitute the word "assessment" for the word "taxation."

Adopted.

COMMITTEE AMENDMENT NO. 4.

In Section 11, line 6, of the printed bill, after the word "filed," insert the following: "*provided*, that if more than one contest be pending, they shall be consolidated and tried together."

Adopted.

COMMITTEE AMENDMENT NO. 5.

In Section 14, line 21, of the printed bill, after the word "of," insert (in the printed bill only) the word "the."

Adopted.

COMMITTEE AMENDMENT NO. 6.

In Section 25, line 14, of the printed bill, make a paragraph after the word "board" and before the word "in," and insert over the paragraph thus made, and beginning with the word "In," a sub-head, as follows: "Filling Vacancies."

Adopted.

COMMITTEE AMENDMENT NO. 7.

In Section 30, line 43, printed bill, substitute the word "shall" for the word "may."

Adopted.

COMMITTEE AMENDMENT NO. 8.

Amend by striking out of Section 34, line 1, printed bill, the word "all"; in line 2 of said section, after the word "insufficient," insert "or in case the bonds be unavailable."

Adopted.

COMMITTEE AMENDMENT NO. 9.

Amend by striking out of Section 39, line 10, printed bill, the words "each one hundred dollars of."

Adopted.

COMMITTEE AMENDMENT NO. 10.

Amend Section 41, line 13, printed bill, after the word "coin," and before the semicolon, by inserting the following words and punctuation mark: "except as hereafter provided;"

Adopted.

COMMITTEE AMENDMENT No. 11.

In Section 42, after the end of line 29, after the word "republication," insert the following: "If the collector shall refuse or neglect to publish the delinquent assessment list as herein provided for, the Tax Collector of the county, wherein the office of the board of directors is located, as soon as notified of that fact, shall at once publish such delinquent assessment list, making the same conform as nearly as may be to the provisions of this section. Such publication must not be less than twenty-one days nor more than twenty-eight days from the first publication. He shall thereafter, in the matter of the collection of the delinquent assessments thus published, perform the duties required of the district collector, and for the faithful performance of such duties shall be liable upon his official bond."

Adopted.

COMMITTEE AMENDMENT No. 12.

Amend Section 34, line 35, printed bill, by substituting the word "assessments" for the word "taxes," and in line 36, same section, after the word "the" and before the word "interest," insert the words "penalty and."

Adopted.

COMMITTEE AMENDMENT No. 13.

In Section 57, line 1, of the printed bill, after the word "directors" and before the word "shall," insert the following: "when sitting as a board or acting under the orders of the board."

In the same section and line, after the word "receive" and before the word "three," insert the words "not to exceed"

In the same section, line 11 thereof, after the word "board," insert the words "not less than."

In the same section and line, after the word "days," insert the words "nor more than forty days."

Adopted.

COMMITTEE AMENDMENT No 14.

Amend by striking out of Section 70, line 4, printed bill, the word "taxpayer," and insert in lieu thereof the word "assessment-payer."

Adopted.

COMMITTEE AMENDMENT No. 15.

After Section 73 of the printed bill, add the following:

SEC. 73½. For any violation of any express duty herein provided for, on the part of any officer herein named, he shall be liable upon his official bond and be subject to removal from office by proceedings brought in the Superior Court of the county wherein the office of the board of directors of the district is located, by any assessment-payer of the district.

Adopted.

COMMITTEE AMENDMENT No. 16

In Section 78, line 32, of the printed bill, after the word "Act" strike out all to the end of the section.

Adopted.

COMMITTEE AMENDMENT No. 17.

On page 45 of the printed bill, at the very beginning thereof, strike out the letters and figures "Sec. 3," so as to annex the first section on said page to the last preceding section. On the same page number the next section 99½ instead of 4; on the same page, at the beginning of the next section, strike out the letters and figure "Sec. 5," so as to annex said section to the last preceding section. The effect of this amendment being to correct errors in sectionizing.

Adopted.

COMMITTEE AMENDMENT No. 18

In Section 100, in line 5, of the printed bill, after the word "controlled" and before the word "for," insert a comma (,).

Adopted.

COMMITTEE AMENDMENT No. 19.

In Section 101, line 9, of the printed bill, after the word "and," insert the following: "if the board thinks proper."

In the same section and line, after the word "such," insert the word "other."

Adopted.

COMMITTEE AMENDMENT No. 20.

In Section 108, line 2, of the printed bill, after the word "a," and before the word "majority," insert the compound word "two-thirds."

Adopted.

ADJOURNMENT.

At five o'clock and thirty minutes P. M., on motion of Mr. Dibble, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 12, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Malcolm and Cartwright were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Wednesday, February 10th, was approved as corrected.

At ten o'clock and twenty minutes A. M., the Speaker called Mr. Bettman to the chair.

SPECIAL ORDERS.

Assembly Bill No. 607—An Act to amend Section 1670 of the Political Code.

Read third time.

Mr. North, of Yolo, moved to refer Assembly Bill No. 607 to a select committee of one, with instructions to amend by inserting before the word "Section," in line 1, page 1, the words "Section 1."

So ordered.

Mr. North, of Yolo, was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 607, 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.

A. W NORTH, Committee.

Report adopted.

Mr. North, of Yolo, moved to refer Assembly Bill No. 607 to a select committee of one, with instructions to amend by inserting before the word "this," in line 574, page 15, the words "Section 2."

So ordered.

Mr. North, of Yolo, was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 607, 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.

A. W. NORTH, Committee.

Report adopted.

Mr. North, of Yolo, moved to refer to a select committee of one, with instructions to amend by striking out of lines 12 and 13, page 1, the words "having a population of one thousand or more," and by inserting in lieu thereof the words "accredited by the last preceding school census with a school population of three hundred or more."

So ordered.

Mr. North, of Yolo, was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 607, 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.

A. W. NORTH, Committee.

Report adopted.

Mr. North, of Yolo, moved to refer to a select committee of one, with instructions to amend by inserting as a title the words "An Act to amend section sixteen hundred and seventy of the Political Code of California."

So ordered.

Mr. North, of Yolo, was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 607, 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.

A. W. NORTH, Committee.

Report adopted.

REPORTS OF STANDING COMMITTEES.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 583—An Act amending Section 63 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 it do not pass.

BURNHAM, Chairman.

Assembly Bill No. 583—An Act amending Section 63 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 517—An Act to amend paragraph 11, Section 200, of the Code of Civil Procedure of the State of California, relating to exempting exempt firemen from jury duty—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BURNHAM, Chairman.

Assembly Bill No. 517—An Act to amend paragraph 11, Section 200, of the Code of Civil Procedure of the State of California, relating to exempting exempt firemen from jury duty.

Read first time, and placed on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER. Your Committee on Judiciary, to whom was referred Assembly Bill No. 60—An Act to amend Section 685 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—have had the same under consideration, and respectfully report the same back, and recommend that the author withdraw the same, as an identical Senate bill has been reported upon by this committee.

WAYMIRE, Chairman.

Assembly Bill No. 60 withdrawn by author.

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred Assembly Bill No. 768—An Act to authorize the Government to appoint and commission agents to collect and receive certain claims due the State of California from the United States, to provide compensation for such service, and to distribute the money recovered on such claims—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary.

MELICK, Chairman.

Assembly Bill No. 768 ordered referred to Committee on Judiciary.

AMENDMENT TO RULES.

Mr. Coombs offered the following amendment to the Standing Rules, which was ordered printed in the Journal, to lay over one day:

I.—HOUR OF MEETING.

The sessions of the House shall be daily (Sundays excepted), beginning at nine o'clock and thirty minutes A. M., until February 1, 1897, and adjournment shall be taken at twelve o'clock and thirty minutes. On and after said date, a recess shall be taken at twelve o'clock and thirty minutes until two o'clock. On and after the 16th day of February, 1897, there shall be evening sessions, commencing at seven o'clock and thirty minutes. The above rules may be suspended by a majority vote of the House.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1897.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 271—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Also: Assembly Bill No. 483—An Act making an appropriation to pay the claim of Modoc County against the State of California.

Also: Assembly Bill No 52—An Act to appropriate $20,000 to furnish an additional water supply to the Mendocino Asylum; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to construct a building for said electric plant; to construct a dam; to purchase an ice plant and cold-storage system for said asylum, to appropriate money therefor, and provide for the expenditure of the same.

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

GUY, Chairman.

Assembly Bill No. 271—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 483—An Act making an appropriation to pay the claim of Modoc County against the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 52—An Act to appropriate $20,000 to furnish an additional water supply to the Mendocino Asylum; to construct an electric plant for lighting the asylum building and grounds, and purchase the necessary machinery and appliances therefor; to construct a building for said electric plant; to construct a dam; to purchase an ice plant and cold-storage system for said asylum; to appropriate money therefor, and provide for the expenditure of the same.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 713—An Act making an appropriation for the erection of a ward building for the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 94—An Act making an appropriation for the erection of a dairy barn and appurtenances for 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 pass as amended.

GUY, Chairman.

Assembly Bill No. 713 ordered on file for second reading.

Assembly Bill No. 94—An Act making an appropriation for the erection of a dairy barn and appurtenances for the Southern California State Asylum for the Insane and Inebriates.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 95—An Act making an appropriation for the erection of a community dining-room and dormitory building for 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.

GUY, Chairman.

Assembly Bill No. 95—An Act making an appropriation for the erection of a community dining-room and dormitory building for the Southern California State Asylum for the Insane and Inebriates.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1897

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 405—An Act making an appropriation for improving the Capitol buildings and grounds.

Also: Assembly Bill No 369—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. 370—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico

Also: Assembly Bill No. 371—An Act making an appropriation for a fence in front of the grounds of the State Normal School building at Chico.

Also: Assembly Bill No. 93—An Act making an appropriation for enlarging the laundry of the Southern California State Asylum for the Insane and Inebriates to double its present capacity.

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

GUY, Chairman.

Assembly Bill No. 405—An Act making an appropriation for improving the Capitol buildings and grounds.

Read first time, and placed on file for second reading.

Assembly Bill No. 369—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 placed on file for second reading.

Assembly Bill No. 370—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Read first time, and placed on file for second reading.

Assembly Bill No. 371—An Act making an appropriation for a fence in front of the grounds of the State Normal School building at Chico.

Read first time, and placed on file for second reading.

Assembly Bill No. 93—An Act making an appropriation for enlarging the laundry of the Southern California State Asylum for the Insane and Inebriates to double its present capacity.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 478—An Act making an appropriation to pay the deficiency in the appropriation for the payment of expenses incurred in calling the National Guard of California into service, by order of the Governor, during the year 1894—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUY, Chairman.

Assembly Bill No. 478—An Act making an appropriation to pay the deficiency in the appropriation for the payment of expenses incurred in calling the National Guard of California into service, by order of the Governor, during the year 1894.

Read first time, and placed on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 692—An Act to provide for a State Food Commissioner, assistants, salary and expenses—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and ask that it be re-referred to the Committee on Ways and Means.

KEABLES, Chairman.

Assembly Bill No. 692 re-referred to Committee on Ways and Means.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No 627—An Act to amend Sections 1817 and 1818 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.

ROBINSON, Chairman.

Assembly Bill No. 627—An Act to amend Sections 1817 and 1818 of the Political Code, relating to the public schools.

Read first time, and placed on file for second reading.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 286—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin—and presented the same to the Governor on this day, at four o'clock P. M.

FONTANA, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1897.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 787—An Act to amend Section 412 of the Penal Code, relating to boxing or sparring matches and prize or ring fights—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BETTMAN, Chairman.

Ordered on file for second reading.

MOTIONS.

Mr. Dryden moved to suspend the rules, and that Assembly Joint Resolution No. 3 be taken up out of order and considered at this time.

Motion lost.

Mr. Belshaw moved to suspend the rules and take up Assembly Bill No. 536 out of order.

Motion lost.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1897.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 53—An Act to prevent deception in the manufacture and sale of butter and 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, and ask that it be referred to the Ways and Means Committee

PRICE, Chairman.

So ordered.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 111—An Act to protect public health by abating certain nuisances within the corporate limits of cities, and declaring the expenses of such abatement a lien upon the premises, and providing for their sale in satisfaction thereof, and otherwise providing for pains and penalties for the continuation of such nuisances—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

WAYMIRE, Chairman.

Assembly Bill No. 111—An Act to protect public health by abating certain nuisances within corporate limits of cities, and declaring the expense of such abatement a lien upon the premises, and providing for their sale in satisfaction thereof, and otherwise providing for the pains and penalties for the continuation of such nuisances.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 115—An Act regulating detectives and detective agencies—have had the same under consideration, and respectfully report the same back, and recommend that the substitute do pass.

WAYMIRE, Chairman.

Assembly Bill No. 115 withdrawn by author.

By Committee on Judiciary: Assembly Bill No. 842 (Substitute for Assembly Bill No. 115)—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 746—An Act to amend Chapter I, Title X, Code of Civil Procedure, relating to actions for the foreclosure of mortgages, by adding thereto another section, known as Section 729, providing for the satisfaction of judgments in foreclosure proceedings—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WAYMIRE, Chairman.

Assembly Bill No. 746 ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 715—An Act amending Section 843 of the Code of Civil Procedure, relating to the appointment of guardians *ad litem* by Justices of the Peace.

Also: Assembly Bill No. 441—An Act to amend Sections 556 and 641 of the Code of Civil Procedure of the State of California, in relation to receivers and referees.

Also: Assembly Bill No. 731—An Act to amend Section 907 of the Political Code, relative to time when oaths of office must be taken and filed

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

WAYMIRE, Chairman.

Assembly Bill No. 441—An Act to amend Sections 556 and 641 of the Code of Civil Procedure of the State of California, in relation to receivers and referees.

Read first time, and placed on file for second reading.

Assembly Bills Nos. 715 and 731 ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 716—An Act amending Section 2021 of the Code of Civil Procedure—have had the same under consideration, and respectfully report the same back, and recommend that the author have permission to withdraw the same.

WAYMIRE, Chairman.

Assembly Bill No. 716 withdrawn by author.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 10th day of February, passed the following:

Senate Bill No. 538—An Act ceding to the United States of America jurisdiction over all lands within this State which have been or may hereafter be acquired by the United States for military purposes.

Also: Senate Bill No 463—An Act to amend Section 1114 of the Political Code of the State of California, relating to registration.

Also: Senate Bill No 539—An Act relinquishing to the United States of America the title of this State to certain lands.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Senate Bill No. 538—An Act ceding to the United States of America jurisdiction over all lands within this State which have been or may hereafter be acquired by the United States for military purposes.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 463—An Act to amend Section 1114 of the Political Code of the State of California, relating to registration.

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

Senate Bill No. 539—An Act relinquishing to the United States of America the title of this State to certain lands.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 10th day of February, passed the following:

Assembly Bill No 41—An Act to amend Section 1469 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 $1,500.

Also: Assembly Bill No. 22—An Act to amend Section 5 of 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.

F. J. BRANDON, Secretary.
By ALF. D BOWEN, Assistant

Assembly Bills Nos. 41 and 22 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 10, 1897.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on the 10th day of February, refused to read the second time Assembly Bill No. 417—An Act to amend Section 396 of the Code of Civil Procedure.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant

Also:

SENATE CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 11th day of February, passed the following:

Assembly Bill No. 70—An Act to amend Section 105 of the Code of Civil Procedure of the State of California, relating to the powers of Justices of the Peace to call in other Justices of the Peace to act in their place and stead

Also: Assembly Bill No. 416—An Act to amend Section 389 of the Code of Civil Procedure.

F. J. BRANDON, Secretary.

Assembly Bills Nos. 70 and 416 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 11th day of February, passed the following:

Senate Bill No. 373—An Act to amend Section 456 of the Civil Code, relating to railroads.

Also: Senate Bill No 158—An Act to amend an Act entitled "An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the place of use," approved March 12, 1885, by inserting a new section therein, relating to contracts for the sale, rental, and distribution of water, and the sale or rental of easements and servitudes of the right to the flow and use of water.

F. J. BRANDON, Secretary.

Senate Bill No. 373—An Act to amend Section 456 of the Civil Code, relating to railroads.

Read first time, and placed on Senate special file for second reading.

Senate Bill No. 158—An Act to amend an Act entitled "An Act to regulate and control the sale, rental, and distribution of appropriated

water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the place of use," approved March 12, 1885.

Read first time, and placed on Senate special file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, February 11, 1897.

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

Senate Bill No. 13—An Act to amend an Act entitled "An Act to create a police relief, health, life insurance, and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889; and to amend also the amendment to Section 7 of said Act, approved March 31, 1891.

Also: Senate Bill No. 7—An Act providing for the election or appointment 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 such Judges.

Also: Senate Bill No. 104—An Act prohibiting ring-fights, prize-fights, glove-contests, or any other premeditated fight, contest, or contention (by whatsoever name or names it or they may be called), and prescribing penalties for the violation thereof.

Also: Senate Bill No. 176—An Act to amend Section 1668 of the Political Code of the State of California, relating to public schools and employment of teachers of physical culture

Also: Senate Bill No. 583—An Act to provide for the appointment, by the Supreme Court, of five commissioners, to be known as Commissioners of the Supreme Court, and to appoint a secretary therefor, to relieve said court from the overburdened condition of its calendar, and to provide for the compensation of said commissioners and secretary, and to appropriate money therefor

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 13—An Act to amend an Act entitled "An Act to create a police relief, health, life insurance, and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889, and to amend also the amendment to Section 7 of said Act, approved March 31, 1891.

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

Senate Bill No. 7—An Act providing for the election or appointment 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 such Judges.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 104—An Act prohibiting ring-fights, prize-fights, glove-contests, or any other premeditated fight, contest, or contention (by whatsoever name or names it or they may be called), and prescribing penalties for the violation thereof.

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

Senate Bill No. 176—An Act to amend Section 1668 of the Political Code of the State of California, relating to public schools and employment of teachers of physical culture.

Read first time, and referred to Committee on Education.

Senate Bill No. 583—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, and to appoint a secretary therefor, to relieve said court from the overburdened condition of its calendar, and to provide for the compensation of said commissioners and secretary, and to appropriate money therefor.

Read first time.

On motion of Mr. Shanahan, Senate Bill No. 583 was substituted on the file in place of Assembly Bill No. 482.

INTRODUCTION OF BILLS.

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

By Mr. Wright: Assembly Bill No. 843—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, by amending Section 1 of said Act.

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

By Mr. North, of Alameda: Assembly Bill No. 844—An Act to amend Section 348 of the Code of Civil Procedure, relating to the time in which action can be brought to recover money or other property deposited with any bank or banker, trust company, or savings and loan society, or to recover any tax or impost, or to enforce any lien created to secure the payment thereof.

Read first time, and referred to Committee on Judiciary.

By Mr. North, of Yolo: Assembly Bill No. 845—An Act to amend an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor, approved February 26, 1885," approved March 15, 1887.

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

By Mr. Arnerich: Assembly Bill No. 846—An Act to regulate the sale of proprietary medicines, bitters, and tonics.

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

Also: Assembly Bill No. 847—An Act to provide for the transfer from Whittier State School at Whittier of the girls heretofore committed thereto under the laws of this State, and for their maintenance and care, as well as that of such other girls as shall be hereafter so committed under said law, and to establish, maintain, and locate in the County of Santa Clara, State of California, on that certain tract of land belonging to the State of California, and heretofore used by the California Home for the Care and Training of Feeble-Minded Children in the town of Santa Clara, in said county, an institution for the discipline, education, employment, reformation, and protection of female juvenile delinquents, to be known as "The Santa Clara State School," and to make an appropriation therefor.

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

By Mr. Dolan: Assembly Bill No. 848—An Act to compel carriers of persons by rail, in the State of California, to operate second-class coaches for the carriage of persons at a rate of fare to be known as second class, exempting street railroads from the operation thereof, and repealing all Acts in conflict therewith.

Read first time, and referred to Committee on Corporations.

By Mr. Treacy: Assembly Bill No. 849—An Act to authorize the Superintendent of Streets of municipalities in this State to enter into contracts for work upon public streets in said municipalities, and to provide a lien for the expense thereof, and for suits to foreclose said liens.

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

By Mr. Damon: Assembly Bill No. 850—An Act to assist the Woman's Relief Corps, auxiliary to the Grand Army of the Republic of

the Department of California and Nevada, to provide for ex-army nurses, and the worthy destitute widows, wives, mothers, and destitute maiden daughters or sisters of veterans who served honorably in the war for the Union, and making an appropriation therefor.

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

By Mr. Goff: Assembly Bill No. 851—An Act making an appropriation for furnishing a ward building for the Southern California State Asylum for the Insane and Inebriates.

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

By Mr. Dennery: Assembly Bill No. 852—An Act to require all persons owning or holding land fronting on county highways to maintain fences along the line thereof.

Read first time, and referred to Committee on Agriculture.

By Mr. Bettman: Assembly Bill No. 853—An Act to amend Section 1108 of the Penal Code of the State of California, relating to the evidence required upon trial for abortion, seduction, and seduction under promise of marriage.

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

Also: Assembly Bill No. 854—An Act to amend an Act entitled "An Act entitled an Act to provide for compiling, illustrating, electrotyping, printing, binding, copywriting, and distributing a State series of school books, and appropriating money therefor," approved February 26, 1885, approved March 15, 1887.

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

Also: Assembly Bill No. 855—An Act to secure independence of voters in elections in the State of California, and for the secrecy of the ballot, and to provide for the use of voting machines at elections in this State.

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

By Mr. Goff: Assembly Bill No. 856—An Act to amend an Act to provide for the compiling, illustrating, electrotyping, printing, and distributing a State series of school text-books, and appropriating money therefor, approved February 26, 1885, by amending Sections 6, 7, and 10 of said Act, and by adding a new section to said Act, numbered 6½, providing for the free distributing of text-books for use in the common schools.

Read first time, and referred to Committee on Education.

By Committee on Commissions, Retrenchment, and Public Expenditures: Assembly Bill No. 857—An Act to amend Sections 2528 and 2552 of an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to the San Francisco and State Harbor Commissioners, approved March 19, 1889.

Read first time, and placed on file for second reading.

By Mr. Dibble: Assembly Bill No. 858—An Act to amend Section 1235 of the Penal Code of the State of California, relating to appeals in criminal cases.

Read first time, and referred to Committee on Judiciary.

By Mr. Cutter: Assembly Bill No. 859—An Act to amend an Act entitled "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 and watercourses, 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," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Read first time, and referred to Committee on Corporations.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Assembly Bill No. 696—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 without recommendation.

DIBBLE, Chairman.

Assembly Bill No. 696—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 placed on file for second reading.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 65—An Act establishing a State Normal School in San Diego County, California, and making an appropriation of $50,000 therefor

Also: That the following bill has been correctly reengrossed: Assembly Bill No. 150—An Act to define the duties and liabilities of employment agents.

AUSTIN, Chairman.

RESOLUTIONS.

By Mr. Lindenberger:

WHEREAS, A petition has been circulated, and signed by a large number of the members of this Assembly, purporting to be in the interest of the Christian Endeavor Society to secure low rates of railway fare, but which proves to be an indorsement of the so-called Sherman Anti-Ticket Brokerage Bill, now pending in Congress; therefore, be it

Resolved, That such signatures were obtained under a misunderstanding or misrepresentation, and that it is the sense of this Assembly that the rights of American citizens, guaranteed under the Constitution, would be seriously infringed upon by the passage of any Act in the Congress of the United States making it a crime punishable by heavy fine and imprisonment for any person other than the authorized agent of a railway or transportation company to sell or transfer a railroad ticket.

Adopted.

By Mr. Dennery:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. H. Watkins for the sum of $48 60, for services rendered as per following bill:

To reporting, in shorthand, proceedings of Assembly Committee on Labor and Capital, Jan. 19-20, 1897 (8:30 P. M. till 1 A. M.)	$5 00
To transcript, 168 folios, at 20 cents per folio	33 60
To two extra copies, each $5 00	10 00
	$48 60

Said warrant to be drawn upon the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Referred to Committee on Ways and Means.

MOTIONS.

Mr. Dibble moved that Assembly Joint Resolution No. 23 be made a special order for this evening.

So ordered.

Mr. Ennis moved that Assembly Joint Resolution No. 24 be made a special order for this evening.

So ordered.

SPECIAL FILE.

Assembly Bill No. 405—An Act making an appropriation for improving the Capitol buildings and grounds.

Read second time.

Mr. Sims moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Bettman in the chair, for the purpose of considering Assembly Bill No. 405.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Bettman in the chair.

Assembly Bill No. 405 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Bettman in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 405—An Act making an appropriation for improving the Capitol buildings and grounds—and now report, and recommend that the same do pass.

BETTMAN, Chairman.

Report adopted.

THIRD-READING FILE.

Assembly Bill No. 80—An Act to provide for the employment of citizens of the United States upon public works within this State.

Passed on file.

Assembly Bill No. 18—An Act to amend clause 37, Section 25, of County Government Act.

Passed on file.

Assembly Bill No. 150—An Act to define the duties and liabilities of employment agents.

Passed on file.

Assembly Bill No. 260—An Act to validate the organization and incorporation of municipal corporations.

Passed on file.

Assembly Bill No. 14—An Act to amend Section 2955 of the Civil Code of California, respecting the mortgaging 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. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Kelly, Kenyon, Lacy, Landsborough, Lindenberger, Mead, Melick, Mulcrevy, McClellan, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of San Francisco, Robinson, Rubell, Sanford, Sims, Stansell, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Assembly Bill No. 464—An Act to amend Section 1490 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 465—An Act to amend Section 1491 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 466—An Act to amend the Code of Civil Procedure, by adding thereto a new section, to be numbered Section 1593, relating to the rights of executors and administrators to bid at foreclosure sales in certain cases.

Passed on file.

Assembly Bill No. 467—An Act to amend Section 1906 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 468—An Act to amend Section 1918 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 469—An Act to amend Section 1991 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 470—An Act to amend the Code of Civil Procedure by adding thereto two new sections, numbered, respectively, 2039 and 2040, relating to letters rogatory.

Passed on file.

Assembly Bill No. 23—An Act entitled an Act to amend Section 1575 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Canavan, Chynoweth, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Kelly, Lacy, Landsborough, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Robinson, Rubell, Shanahan, Soward, Stansell, Toland, Treacy, Valentine, Waymire, and Wright—55.

NOES—None.

Title read and approved.

Assembly Bill No. 119—An Act authorizing certain corporations to loan and invest money, and regulating the same.

Passed on file.

Assembly Bill No. 8—An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors, and marines in this State, who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 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. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Godfrey, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Lindenberger, Mahoney, Mead, Melick, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—67.

NOES—None.

Title read and approved.

Assembly Bill No. 130—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891, relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance and corporations hereafter to be formed to conduct such insurance.

The following amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Change the words "cooperative associations," on line 3, Section 1, of printed bill, to read "corporations."

Adopted.

COMMITTEE AMENDMENT No. 2.

Insert on line 4, Section 1, of printed bill, the words "health and" after the word "life," and strike out the word "or" after the word "life."

Adopted.

COMMITTEE AMENDMENT No. 3.

Change the words "coöperative associations," on line 2, Section 1, printed bill, to read "corporations."

Adopted.

COMMITTEE AMENDMENT No. 4.

Strike out of lines 2 and 3, Section 2 of the printed bill, the words "by the voluntary association of twenty-five or more persons resident of this State."

Adopted.

COMMITTEE AMENDMENT No. 5.

Insert after the word "life," and before the word "or," on line 4, Section 2 of printed bill, the word "health."

Adopted.

COMMITTEE AMENDMENT No. 6.

On line 5, Section 2 of printed bill, change the word "association" to read "corporations."

Adopted.

COMMITTEE AMENDMENT No. 7.

On line 15, Section 2, printed bill, change the word "association" to read "corporation."

Adopted.

COMMITTEE AMENDMENT No. 8.

Strike out of Section 2 all on line 16, of printed bill, from and after the word "value," down to and including the word "assets," on line 17, of said Section 2 of said printed bill, and insert in lieu thereof the words "all investments made as provided for in section four hundred and twenty-seven of the Civil Code."

Adopted.

COMMITTEE AMENDMENT No. 9.

On line 17, Section 2, printed bill, after the word "no," change the word "association" to the word "corporation."

Adopted.

COMMITTEE AMENDMENT No. 10.

Insert after the word "accident" and before the word "the," on line 21, Section 2, printed bill, the words "or sickness."

Adopted.

COMMITTEE AMENDMENT No. 11.

On line 21, Section 2, printed bill, change the word "association" to read "corporation"

Adopted.

COMMITTEE AMENDMENT No. 12.

On line 24, Section 2, printed bill, change the word "payments" to read "assessments."

Adopted.

COMMITTEE AMENDMENT No. 13.

On line 29, Section 2, printed bill, change the word "associations" to read "corporations."

Adopted.

COMMITTEE AMENDMENT No. 14.

On line 32, Section 2, printed bill, change the word "association" to read "corporation."

Adopted.

COMMITTEE AMENDMENT No. 15.

On line 34, Section 2, printed bill, change the word "association" to read "corporation."

Adopted.

COMMITTEE AMENDMENT No. 16.

On line 35, Section 2, printed bill, change the word "association" to read "corporation."

Adopted.

COMMITTEE AMENDMENT No. 17.

On line 39, Section 2, printed bill, change the word "association" to read "corporation."

Adopted.

COMMITTEE AMENDMENT No. 18.

On line 41, Section 2, printed bill, change the word "associations" to the word "corporations."

Adopted.

COMMITTEE AMENDMENT No. 19.

In Section 4, change the word "immediately" to the words "July first, eighteen hundred and ninety-seven"

Adopted.

Ordered to printer and reëngrossment.

Assembly Bill No. 123—An Act to amend Section 634 of the Political Code, in relation to insurance, approved April 1, 1878.

Read third time.

Mr. Cutter moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 123—An Act to amend Section 634 of the Political Code, in relation to insurance, approved April 1, 1878—in the following manner:

On line 4 of Section 1, after the word "State" (printed bill, as amended January 30, 1897), insert the words "with a capital stock of not less than one hundred thousand dollars."

Also: On page 2, line 28, of Section 1, strike out the words "in the state treasury."

Also: On page 2, Section 1, lines 30 and 31, strike out all after the word "received" down to and including the word "contracts," and insert in lieu thereof the words "with the Treasurer of State, and such deposit shall be received and held by the Treasurer, in his official capacity, in trust for the benefit of such registered contracts."

Also: On page 2, Section 1, line 47, change the word "in," after "deposited," to read "with."

Also: On page 2, line 47, of Section 1, strike out the words "state treasury," and insert in lieu thereof the words "Treasurer of State."

So ordered.

Mr. Cutter was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 123—An Act to amend Section 634 of the Political Code, in relation to insurance, approved

April 1, 1878—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.

CUTTER, Committee.

Report adopted.

Assembly Bill No. 123 ordered to printer and reëngrossment.

LEAVE OF ABSENCE.

Mr. Damon was granted leave of absence until four o'clock P. M. to-day.

THIRD READING FILE—(RESUMED).

Assembly Bill No. 128—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. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Chynoweth, Cross, Cutter, Damon, Dennery Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Goff, Goodhue, Harris, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Yolo, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—58.

NOES—None.

Title read and approved.

Assembly Bill No. 89—An Act to amend an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895, by amending Sections 6 and 69 thereof, relating, respectively, to the appointment of a time for the election of an assignee, and to costs in cases of involuntary insolvency.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Cross, Damon, Dibble, Dryden, Elliott, Fontana, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Jones, Keables, Kelly, Kenyon, Lacy, Landsborough, Lindenberger, Mead, Melick, Mulcrevy, McCandlish, McLaurin, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Wright—55.

NOES—None.

Title read and approved.

RECESS.

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

REASSEMBLED.

The Assembly reassembled at two o'clock and five minutes P. M.

Speaker Coombs in the chair.

Quorum present.

RESOLUTIONS.

By Mr. Waymire:

Your committee, appointed to investigate the temporary payroll of the Assembly, having made its report to the House and concluded its duties, hereby recommend the adoption of the following resolution, to wit:

Resolved, That your committtee be and it is hereby discharged, and that the pay of the clerk thereof cease on the 12th day of February, 1897

WAYMIRE, Chairman.
KENYON.
BOONE.
STRAIN.
KEABLES.
EMMONS.
STANSELL.

Adopted.

By Mr. Leavitt:

Resolved, That A. W. Branch be and he is hereby appointed Assistant Clerk of the Assembly, whose duties shall be to attend to the making of the Assembly General File. This appointment shall take effect from January 11, 1897, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrants in accordance herewith.

Referred to Committee on Attachés and Employés.

On motion of Mr. Leavitt, the Committee on Attachés and Employés were ordered to report the above resolution back by to-morrow.

MOTIONS.

Mr. Dibble moved that at four o'clock P. M. the House shall take a recess until seven o'clock and thirty minutes P. M., for the purpose of considering the special urgency file.

So ordered.

On motion of Mr. Dibble, the Journal of yesterday was corrected as follows:

On page 6, between first and second paragraphs, insert the following:
Mr. Dibble moved that the rules be suspended and the report of the Committee on Rules be adopted, setting apart Friday evening for considering certain bills on special urgency file
So ordered.

LEAVE OF ABSENCE.

Mr. Aldridge was granted leave of absence for the day.

Mr. Strain was granted leave of absence until Monday, at two o'clock P. M.

Frank Barnett, Engrossing Clerk, was granted leave of absence until Monday.

SENATE SPECIAL FILE.

Senate Bill No. 135—An Act to prohibit the adulteration of honey, and to provide a punishment 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. Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Bridgford, Burnett, Burnham, Chynoweth, Cross, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Harris, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Sanford, Sims, Soward, Treacy, Valentine, Vosburg, and Mr. Speaker—58.
NOES—None.

Title read and approved.

Senate Bill No. 35—An Act entitled an Act to authorize cities and towns owning public parks outside their limits to lay out, construct, and maintain roads, streets, and boulevards from the boundaries of

such cities and towns to, into, and through such parks, and to acquire lands for that purpose.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnett, Burnham, Chynoweth, Cross, Cutter, Damon, Dennery, Dolan, Dryden, Elliott, Emmons, Fontana, Foreman, Gately, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Senate Bill No. 36—An Act to extend the jurisdiction and authority of cities and towns over parks owned by them, situated beyond the limits of such cities and towns, and over streets and avenues leading to 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. Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnett, Burnham, Chynoweth, Cross, Cutter, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Keegan, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Soward, Stansell, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed, viz:

Assembly Bill No. 405—An Act making an appropriation for improving the Capitol building and grounds

AUSTIN, Chairman.

MESSAGES FROM THE SENATE.

Mr. Guy moved that the Assembly take up Senate messages.

So ordered.

SENATE CHAMBER, SACRAMENTO, February 12, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Joint Resolution No. 15, relative to sending food to the famine-stricken people of India.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

At two o'clock and forty-five minutes P. M., the Speaker called Mr. Emmons to the chair.

At three o'clock and five minutes P. M., Speaker Coombs resumed the chair.

SENATE JOINT RESOLUTION No. 15.

Relative to sending food to the famine-stricken people of India.

WHEREAS, Senator George C. Perkins is about to introduce a bill in Congress to appropriate funds to send a vessel to carry food to the starving inhabitants of India, and Secretary Herbert, of the Navy, is cooperating to that end; now, be it

Resolved by the Senate, the Assembly concurring, That our representatives in Congress are requested and our Senators instructed to urge the passage of said bill, as a matter of urgency, to demonstrate to all nations the sympathy and humanity of the American people; and be it further

Resolved, That the Governor be and he is hereby requested to immediately transmit by telegram to Senator Perkins, at Washington, D. C., a copy of these resolutions.

The question being on the adoption of the resolution.

The ayes and noes were demanded by Messrs. Wright, North, and Leavitt.

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

AYES—Messrs. Allen, Anderson, Belshaw, Bettman, Breiling, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Cutter, Dennery, Dolan, Elliott, Ennis, Fontana, Foreman, Gately, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Lacy, Leavitt, Lindenberger, Maboney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Sanford, Sims, Stansell, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—58.

NOES—Messrs Cross, Dryden, Emmons, Godfrey, Landsborough, and Shanahan—6.

Senate Joint Resolution No. 15 ordered transmitted to the Senate.

At three o'clock and twenty minutes P. M., the Speaker called Mr. Wright to the chair.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 37—An Act to authorize cities and towns to grant franchises for the construction and maintenance of railroads beyond the limits of such cities or towns, leading to public parks owned thereby.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Anderson, Bettman, Burnham, Canavan, Chynoweth, Cross, Dennery, Dibble, Dolan, Dryden, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Sanford, Sims, Shanahan, Soward, Stansell, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

At three o'clock and thirty-seven minutes P. M., Speaker Coombs resumed the chair.

Senate Bill No. 195—An Act to regulate medical practice, to prevent blindness in infants.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Arnerich, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Cross, Cutter, Dennery, Dibble, Elliott, Ennis, Gately, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Ryan, Sims, Shanahan, Soward, Stansell, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—55.

NOES—Messrs Aldridge, Allen, Anderson, Dolan, Dryden, Foreman, Godfrey, Houghton, Landsborough, McClellan, Rubell, Sanford, and Treacy—13.

Title read and approved.

MOTIONS.

Mr. Stansell moved that Assembly Bill No. 696 be re-referred to the Committee on Counties and County Boundaries.

So ordered.

Mr. Leavitt moved to reconsider the vote whereby the Assembly refused to pass Assembly Bill No. 263, notwithstanding the objection of the Governor thereto.

So ordered.

Mr. Leavitt moved to make the further consideration of Assembly Bill No. 263 a special order for next Tuesday, at eleven o'clock A. M.

The previous question was demanded by Messrs. Wright, Ennis, and Cross.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the motion of Mr. Leavitt to make the further consideration of Assembly Bill No. 263 a special order for next Tuesday, at eleven o'clock A. M.

The same was adopted.

Mr. Cutter moved that the vote whereby the consideration of the Governor's disapproval of Assembly Bill No. 263 was made a special order for Tuesday next, at eleven o'clock A. M., be now reconsidered.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Wright, Ennis, and Leavitt.

The question being, "Shall the main question be now put?"

The ayes and noes were demanded by Messrs. Shanahan, Houghton, and Dryden.

The roll was called, and the motion of Mr. Cutter to reconsider was lost by the following vote:

AYES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—31

NOES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—45.

MOTION.

Mr. Shanahan moved that the rules be suspended, and he be allowed to introduce a bill out of order.

The ayes and noes were demanded by Messrs. Shanahan, Caminetti, and Bridgford.

The roll was called, and the motion of Mr. Shanahan lost by the following vote:

AYES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—31.

NOES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—44.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CONTESTED ELECTIONS.

MR SPEAKER: Your Committee on Contested Elections, having had under consideration the bills in the cases of Hoey vs. Power, and Bennett vs. Toland, beg to report as follows, viz.:

Amount of Claims in Case of Hoey vs. Power.

John W. Power, contestee	$1,693 35
A. J. Morganstern, attorney for J. A. Hoey	1,629 95
Ernest J. Mott, stenographer	282 80
W. M. Hinton, Registrar	45 25
L. J. Welch, Deputy Registrar	55 25
Chas. Gildea, Deputy Registrar	49 50
T. W. Measure, watchman	10 00
Guy Hinton, watchman	10 00
Wells, Fargo & Co., expressage	7 80
Brewster C. Kenyon, mileage and expenses	30 00
W. F. Price, mileage and expenses	30 00
H. M. Kelly, mileage and expenses	30 00
H. McGrath, mileage and expenses	30 00
F. E. Cook, Clerk, mileage and expenses	30 00
Wm. O. Banks, Sergeant-at-Arms	39 00
A. A. Friedlander, Sergeant-at-Arms to committee	58 00
Total	$4,030 90

Amounts Approved by Committee—Hoey vs. Power.

Walter Rosemond, witness fees and mileage		$4 40
J. J. Flynn, witness fees and mileage		4 40
John Ludlow, witness fees and mileage		4 40
C. F. Adams, witness fees and mileage		4 40
M. Cusick, witness fees and mileage		4 40
J. S. Cummings, witness fees and mileage		4 40
John Hoar, witness fees and mileage		4 40
L. Noel, witness fees and mileage		4 40
J. P. Devereaux, witness fees and mileage		4 40
Wm. Colbert, witness fees and mileage		4 40
Edward McKenna, witness fees and mileage		4 40
Wm. Flynn, witness fees and mileage		4 40
T. Growney, witness fees and mileage		4 40
Edward Forster, attorney for J. W. Power		100 00
Paul McDonald, attorney for J. W. Power		100 00
John W. Power, contestee:		
Subpœnaing witnesses	$24 00	
Mileage to San Francisco	18 00	
Expense, six days, at $2 00	12 00	
		54 00
A. J. Morganstern, attorney for J. A. Hoey:		
Subpœnaing witnesses	$30 00	
Seventeen witnesses, at $2 00	34 00	
One witness, 2 days, at $2 00	4 00	
Mileage for above at 20 cents	3 60	
Attorney fees	100 00	
		171 60
Ernest J. Mott, stenographer		131 40
W. M. Hinton, Registrar		35 50
L. J. Welch, Deputy Registrar		30 50
Chas. Gildea, Deputy Registrar		30 50
T. W. Measure, watchman		5 00
Guy Hinton, watchman (denied)		-----
Wells, Fargo & Co., express		7 80
B. C. Kenyon, mileage $18, expenses 6 days, at $2, $12		30 00
W. F. Price, mileage $18, expenses 6 days, at, $2, $12		30 00
H. M. Kelly, mileage $18, expenses 6 days, at $2, $12		30 00
H. McGrath, mileage $18, expenses 6 days, at $2, $12		30 00
F. E. Cook, Clerk, mileage $18, expenses 6 days, at $2, $12		30 00
Wm. O. Banks, Sergeant-at-Arms, mileage to San Francisco	$18 00	
Assistant Sergeant-at-Arms, mileage to San Francisco	18 00	
Serving 3 subpœnas	3 00	
		39 00
A. A. Friedlander, Sergeant-at-Arms to committee:		
Mileage to San Francisco	$18 00	
7 days, at $5 per diem	35 00	
Expenses	5 00	
		58 00
Total		$970 50

In the Assembly of the State of California—In the matter of the contested election of John W. Power, for the office of member of the Assembly of the State of California for the Thirty-second Assembly District, by John A. Hoey, contestant.

Memoranda of Expenses, on behalf of John W. Power, Contestee.

Witness fees—seven witnesses, 3 days, at $2 per day	$42 00
Serving subpœnas on fourteen witnesses for Justices, at $1 50	21 00
Witness fees—sixteen witnesses before committee; 2 days at $2 per day	64 00
Serving subpœnas on same, at $1 50 each	24 00
Mileage; twenty witnesses, at 20 cents each	4 00
Fees of two Justices of the Peace, taking testimony	78 75
Mileage of Attorney Edwin L Forster, to Sacramento and return	18 00
Mileage of Attorney Paul McDonald, to Sacramento and return	18 00
Mileage of John W. Power, to San Francisco and return, with committee	18 00
Expenses of 6 days, at $2 per day	12 00
Reporter's fees, original transcript for Assembly: 1,200 folios at 20c, $240 (one half)	120 00
Copies of same to contestee and contestant	60 00
One half per diem before Justices, at $10, 3 days	15 00
Attorney's fees: Edwin L. Forster, legal services for contestee, trial contest, 3 days before referees, and 2 days before committee, and argument	600 00
Paul McDonald, legal services same as above	600 00
	$1693 35

Bill of Expenses of A. J. Morganstern, Attorney for J. A. Hoey, in the matter of the contest for the seat of John W. Power by John A. Hoey.

Cost of filing contest, service of County Clerk and Justice's Clerk	$10 50
Charges of County Clerk for return and transmission to Secretary of State	6 00
Service of subpœnas from twenty-three witnesses, as per bill, and return, for hearing before Justices	39 10
Service of subpœnas upon twenty witnesses, as per bill, and return, for hearing before committee	34 00
Notary fees, San Francisco	2 50
Fees of two Justices of the Peace, taking 315 folios of testimony, at 12½ cents per folio	78 75
Witness fees, twenty-three witnesses before Justices, 3 days each, at $2 per day each	138 00
Witness fees, twenty witnesses upon hearing before committee at San Francisco, 2 days each, at $2 each	80 00
Mileage for witnesses, 20 cents each	8 60
Typewriting and stenography work at Sacramento (as per bill attached)	55 90
Half of stenographer's bill for taking testimony before Justice	78 00
Mileage, J. A Hoey to Sacramento, to attend hearing of committee	16 80
Mileage, A. J. Morganstern to San Francisco and return, to attend committee's hearing at San Francisco	16 80
Typewriting, San Francisco, drawing complaint, accumulating evidence, drawing subpœnas, etc.	45 00
Attorney's fees	1,000 00
Total	$1,629 95

State of California, Thirty-second Assembly District—In the matter of the contested election of John W. Power for the office of member of the Assembly of the State of California for the Thirty-second Assembly District, by John A. Hoey, contestant.

SAN FRANCISCO, CAL., January 21, 1897.

Committee on Contested Elections of the Assembly of the State of California, to Ernest J. Mott, 320 Sansome Street, Dr.:

To taking and transcribing testimony and proceedings in the above-entitled matter before said committee, as follows:

Two per diems, January 19 and 20, 1897, at $10	$20 00
Transcript of testimony and proceedings, for said committee, 657 folios, at 20 cents	131 40
Two copies of transcript, for use of contestant and contestee, 657 folios, at 10 cents, $65 70 each	131 40
	$282 80

SACRAMENTO, CAL., February 6, 1897.

The State of California, to W. M. Hinton, Registrar, Dr..

In the matter of Hoey vs. Power:

Mileage from San Francisco to Sacramento and return	$18 00
Board and lodging	6 50
Three days' attendance on committee	15 00
Paid Glenn Ricard $5 to guard ballots	5 00
Car fare	75
Total	$45 25

State of California, County of San Francisco, ss.

W. M. Hinton, being first duly sworn, deposes and says, that on the claim hereto attached the services therein mentioned were actually rendered, and the money was actually paid, or is to be paid, as therein mentioned, solely for the benefit of the State.

W. M. HINTON.

Subscribed and sworn to before me, this 6th day of February, 1897.

C. F. CURRY, Clerk.
By WM. R. A. JOHNSON, Deputy

SACRAMENTO, CAL., February 6, 1897.

The State of California, to L. J. Welch, Dr.:

In the matter of Hoey vs. Power:

Mileage from San Francisco to Sacramento and return	$18 00
Board and lodging	6 50
Attendance on committee, three days and one night	20 00
Watching ballots, one night	5 00
Packing ballots	5 00
Care fare	75
Total	$55 25

State of California, County of San Francisco, ss.

L. J. Welch, being first duly sworn, deposes and says, that on the claim hereto attached the services therein mentioned were actually rendered, and the money was actually paid, or is to be paid, as therein mentioned, solely for the benefit of the State.

L. J. WELCH.

Subscribed and sworn to before me, this 6th day of February, 1897.

C. F. CURRY, Clerk.
By WM. R. A. JOHNSON, Deputy.

SACRAMENTO, CAL., February 6, 1897.

The State of California, to Chas. Gildea, Dr :

In the matter of Hoey vs. Power:

Mileage from San Francisco to Sacramento and return	$18 00
Board and lodging	6 50
Attendance on committee, three days and one night	20 00
Watching ballots one night	5 00
Total	$49 50

State of California, County of San Francisco, ss.

Chas. Gildea, being first duly sworn, deposes and says, that on the claim hereto attached, the services therein mentioned were actually rendered and the money was actually paid, or is to be paid, as therein mentioned, solely for the benefit of the State.

CHAS. GILDEA.

Subscribed and sworn to before me, this 6th day of February, 1897.

C. F. CURRY, Clerk.
By WM. R. A. JOHNSON, Deputy.

SACRAMENTO, CAL., February 4, 1897

The State of California, to T. W. Measure, Deputy Sheriff, Dr.:

Feb. 3—Watching ballot boxes containing ballots in case of Hoey vs Power, February 3 and 4, 16 hours $10 00

State of California, County of Sacramento, ss.

T. W. Measure, being first duly sworn, deposes and says, that on the claim hereto attached the services therein mentioned were actually rendered and the money was actually paid, or is to be paid, as therein mentioned, solely for the benefit of the State.

T. W. MEASURE.

Subscribed and sworn to before me, this 6th day of February, 1897.

L. J. WELCH, Deputy Registrar.

SACRAMENTO, CAL., February 6, 1897.

The State of California, to Guy Hinton, Dr.

In the matter of Hoey vs. Power:

One day's attendance to committee in contest	$5 00
One day's watching ballots	5 00
Total	$10 00

State of California, County of San Francisco, ss.

G. Hinton, being first duly sworn, deposes and says, that on the claim hereto attached the services therein mentioned were actually rendered and the money was actually paid, or is to be paid, as therein mentioned, solely for the benefit of the State.

GUY HINTON.

Subscribed and sworn to before me, this 6th day of February, 1897.

C. F. CUREY, Clerk.
By WM. R. A. JOHNSON, Deputy.

SACRAMENTO, CAL., February 3, 1897.

W. M. Hinton to Wells, Fargo & Co's Express, Dr.

February 3—Two chests from San Francisco, 390 lbs.	$3 90
February 3—Two chests to San Francisco, 390 lbs	3 90
	$7 80

SACRAMENTO, February 8, 1897

State of California, Dr.:

To B. C. Kenyon, mileage, $18; 6 days' expenses at $2, $12	$30 00
To W. F. Price, mileage, $18; 6 days' expenses at $2, $12	30 00
To H. M. Kelly, mileage, $18; 6 days' expenses at $2, $12	30 00
To H. McGrath, mileage, $18; 6 days' expenses at $2, $12	30 00
To F. E. Cook, clerk, mileage, $18; 6 days' expenses at $2, $12	30 00

SACRAMENTO, February 9, 1897.

State of California to Wm. O. Banks, for mileage, subpœnas, etc., in the contested election case of Hoey vs. Power, Dr.

Wm. O. Banks, Sergeant-at-Arms of Assembly, mileage	$18 00
F. E. Cook, Assistant Sergeant-at-Arms, mileage	18 00
Serving subpœna on W. M. Hinton	1 00
Serving subpœna on L. J. Welch	1 00
Serving subpœna on Charles Gildea	1 00
	$39 00

FEBRUARY 8, 1897.

State of California to A. A. Friedlander, Sergeant-at-Arms to Committee, Dr.

Mileage to San Francisco and return	$18 00
Seven days' services, at $5 per diem	35 00
Expenses at San Francisco	5 00
	$58 00

Amounts of Claims of Bennett vs. Toland.

Peter Bennett	$917 30
Thomas O. Toland	282 70
Total	$1,200 00

Claims Approved by Committee.

Peter Bennett: Attorneys Orr and Poplin	$75 00
Attorney Friedlander	25 00
Thomas O. Toland, attorney fees	200 00
Total	$300 00

Statement of Peter Bennett.

SACRAMENTO, February 10, 1897.

Depositions of witnesses, 350 folios at 20 cents	$70 00
Justices DeWitt and Boling, 2 days each at $10	40 00
Certified copy to Secretary of State	2 00
Printing briefs	48 00
Verified copy to court	5 30
Sheriff's fees, serving notices to contestee	2 00
Attorney fees, Orr and Poplin	500 00
Attorney fees, A. A. Friedlander	250 00
Total	$917 30

ASSEMBLY CHAMBER, SACRAMENTO, CAL., January 30, 1897.

To Honorable B. C. KENYON, *Chairman Assembly Committee on Contested Elections:*

SIR: I have the honor to submit to your committee itemized statement of expenses and attorneys' fees incurred by me by reason of the contest of Peter Bennett vs. T. O. Toland, for the office of Assemblyman of the Sixty-ninth District, this day dismissed by the Assembly, as follows:

Railroad and sleeper fare from Sacramento to San Buenaventura and return, between December 25, 1896, and January 4, 1897	$35 00
Necessary incidental expenses of the above round trip	5 00
Time actually consumed in traveling and in attendance on commissioner in San Buenaventura, December 30 and 31, 1896, 4 days	32 00
Paid C. P. Bagin, serving subpœna on J. F. Bradley	50
J. F. Bradley, witness fees, 1 day	2 00
A. S. Kenagy, witness fees, 1 day	2 00
L. I. Kamp, witness fees, 1 day	2 00
Wesley Boling and J. J. De Witt—fees for testimony of A. S. Kenagy, J. F. Bradley, and L. I. Kamp, called as witnesses for contestee—14 folios at 30c.	4 20
Attorney's fees of F. W. Ewing and W. E. Shepherd for preparation of contestee's defense and attending two days before Commissioners Boling and De Witt at San Buenaventura, December 30 and 31, 1896, and of Thos. F. Barry, for preparing for argument before your committee, and attendance thereon in said contest at its sittings on January 26, 27, 28, and 29, 1897, according to Standing Rule LXXVI of the Assembly	200 00
Total	$282 70

In relation to the items in the above statement, resulting from the trip from Sacramento to San Buenaventura and return, I would say that I was in Sacramento at the time the notice of contest was served on me, and did not intend to return to San Buenaventura until after the session of the Legislature; that the instituting of the contest made the trip to San Buenaventura necessary, and the expenses and charges incident to it were necessary by the contest.

Respectfully submitted.

THOS. O. TOLAND,
Assemblyman Sixty-ninth District.

KENYON, Chairman.

RECESS.

At four o'clock and ten minutes P. M., Mr. Dibble moved that the Assembly do now take a recess until seven o'clock and thirty minutes P. M.

So ordered.

REASSEMBLED.

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

Quorum present.

SPECIAL ORDERS.

ASSEMBLY JOINT RESOLUTION No. 23.

Relative to the protection of the farming industry.

WHEREAS, The farming industry of this country has been, is, and must ever be the chief basis of its wealth and prosperity; and

WHEREAS, Its chief products are regulated in price by export and not import; and

WHEREAS, So long as this is true the industry cannot receive any direct benefit from any system of protection, and

WHEREAS, There is now pending before the Congress of the United States a measure which proposes to place an import duty of one and one half cents each upon all jute bags; and

WHEREAS, There are but few factories in this country engaged in manufacturing such articles; and

WHEREAS, Such a law would impose an additional heavy burden upon our chief industry, which is already staggering under a weight of depression; now, therefore, be it

Resolved, That our Representatives in Congress be requested and our Senators instructed to use their best efforts to defeat any law imposing a duty on jute bags;

Resolved, That the Secretary of State be instructed to transmit by mail a copy of these resolutions to each of our Senators and Representatives in Congress.

The following amendments were submitted:

Mr. Bridgford moved to amend by striking out the following, being lines 8 and 9 of printed resolution:

WHEREAS, So long as this is true the industry cannot receive any direct benefit from any system of protection; and.

Adopted.

Mr. Bridgford moved to amend as follows:

By striking out of line 20, printed resolution, the word "of," and inserting the words "upon jute and."

Amendment lost.

Mr. North moved that the vote whereby the second amendment was lost be reconsidered.

So ordered.

The question now being on the adoption of the second amendment.

The same was adopted.

Mr. Anderson moved to strike out all of Assembly Joint Resolution No. 23, and substitute the following:

SUBSTITUTE FOR ASSEMBLY JOINT RESOLUTION No. 23.

Relative to the import duty on jute bags.

WHEREAS, There is now pending before the Congress of the United States a measure which proposes to place an import duty of one and one half cents each upon all jute bags; and

WHEREAS, There are but few factories in this country engaged in manufacturing such articles; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That, while we reaffirm our fidelity and devotion to the great principle of protection, which protects all our labor and has a direct beneficial effect upon ninety-five per cent of the volume of our trade, we realize that some of our industries and labor require greater protection than others; therefore, be it

Resolved, That we request our Representatives in Congress to work upon the question above mentioned, and upon all other such questions along the lines of right, and with the end in view of doing the greatest amount of good to the greatest number of our people;

Resolved, That the Secretary of State be instructed to forward a copy of these resolutions by mail to each of our Senators and Representatives in Congress.

Motion to substitute adopted.

Mr. Bridgford moved to make the further consideration of Assembly Joint Resolution No. 23 a special order for Monday morning.

Mr. Dibble moved to lay Mr. Bridgford's motion on the table.

So ordered.

Mr. Dibble moved that Assembly Joint Resolution No. 23 be placed on the file under the head of unfinished business.

So ordered.

ASSEMBLY JOINT RESOLUTION No. 24.

Relative to a bill to increase the salary of letter-carriers.

WHEREAS, There is now pending in the House of Representatives a bill entitled H. R. 260, "A bill to increase the salary of letter-carriers," said bill having passed the Senate by an unanimous vote and reported favorably by the Committee on Post Offices and Post Roads of the House, the provisions of the bill adding a fourth grade of salary in first-class offices of twelve hundred dollars per annum, and in second-class offices one thousand dollars per annum, the present salary being six hundred dollars, eight hundred dollars, and one thousand dollars in first-class offices, and six hundred dollars and eight hundred and fifty dollars in second-class offices;

WHEREAS, Under present conditions a carrier entering the service must serve at least eight years before he can obtain the highest grade of salary, the substitute list and subsequent grades of service requiring that time;

WHEREAS, The carrier service is self-supporting and a source of revenue to the Government, the duties of the carrier exacting, arduous, and responsible, requiring a high grade of physical and mental ability;

Resolved by the Senate of the State of California, the Assembly concurring, That our Senators and Representatives at Washington be and hereby requested to urge the

passage of said bill at the present session of Congress; that the Secretary of the Senate be and is hereby instructed to transmit a copy of these resolutions to our Representatives in Congress; also, to Hon. Thomas B. Reed, Speaker of the House of Representatives.

On motion of Mr. Ennis, Assembly Joint Resolution No. 24 was adopted.

MOTIONS.

Mr. Dryden moved to suspend the rules and consider Assembly Joint Resolution No. 3 out of order.

Mr. Dibble moved to lay Mr. Dryden's motion to suspend the rules on the table.

The ayes and noes were demanded by Messrs. Dryden, Sanford, and Caminetti.

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

AYES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Ennis, Fontana, Goff, Goodhue, Guy, Henry, Hudson, Jones, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, McClellan, North of Alameda, North of Yolo, Pohlman, Power of Placer, Sanford, Sims, Soward, Stansell, Vosburg, and Mr. Speaker—38.

NOES—Messrs. Allen, Boone, Caminetti, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Houghton, Lacy, Mahoney, Mead, Mulcrevy, McCandlish, Rubell, Ryan, and Toland—19.

NOTICE OF RECONSIDERATION.

Mr. Sanford gave notice that on next legislative day he would move to reconsider the vote whereby the motion of Mr. Dryden to suspend the rules and consider Assembly Joint Resolution No. 3 was laid on the table.

SPECIAL URGENCY FILE.

Assembly Bill No. 332—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Read third time.

Mr. Dibble moved to appoint a select committee of one to amend Assembly Bill No. 332 as follows:

Strike out the following:

NOTE.—The scope of the amendment is to prevent any person interested in an estate from testifying as to facts occurring before decedent's death, not only in an action upon a claim (as the section was construed in Myers vs. Reinstein, 67 Cal. 89), and also in an action against an estate relating to the title to property in decedent's possession at the time of his death. The same policy which closes the mouth of a surviving party to a transaction where a suit is upon a claim against an estate would prevent his testifying as to facts constituting an alleged trust in property, because the elements of danger of fraud are equal in both cases.

So ordered.

The Speaker appointed Mr. Dibble as such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 332—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

DIBBLE, Committee.

Report adopted.

Ordered to reëngrossment and printer.

Assembly Bill No. 455—An Act to amend the Code of Civil Procedure by adding thereto a new section, to be numbered Section 676, relating to conveyances under order of court.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Arnerich, Bettman, Boone, Breiling, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Lacy, Leavitt, Mead, Melick, Mulcrevy, McCandlish, McClellan, Pohlman, Power of Placer, Price, Ryan, Soward, Stansell, Vosburg, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Assembly Bill No. 456—An Act to amend Section 691 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Arnerich, Belshaw, Bettman, Boone, Breiling, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Fontana, Foreman, Gately, Goff, Goodhue, Guy, Henry, Houghton, Hudson, Lacy, Leavitt, Mahoney, Mead, Melick, McCandlish, McClellan, North of Alameda, Pohlman, Power of Placer, Robinson, Sanford, Soward, Stansell, Wright, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Assembly Bill No. 457—An Act to amend the Code of Civil Procedure by adding thereto a new section, to be numbered Section 811, relating to dissolution of 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. Allen, Arnerich, Belshaw, Bettman, Boone, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Foreman, Gately, Godfrey, Goff, Guy, Harris, Houghton, Hudson, Lacy, Leavitt, Mahoney, Mead, Melick, McCandlish, McClellan, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Robinson, Sanford, Soward, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Assembly Bill No. 458—An Act to amend Section 868 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Austin, Belshaw, Bettman, Boone, Breiling, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Lacy, Leavitt, Mahoney, Malcolm, Mulcrevy, McCandlish, McClellan, North of Alameda, Power of San Francisco, Robinson, Sanford, Soward, Vosburg, Wright, and Mr. Speaker—45.

NOES—Mr Melick—1.

Title read and approved.

Assembly Bill No. 459—An Act to amend Section 939 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Foreman, Goff, Guy, Henry, Hudson, Lacy, Leavitt, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McClellan, North of Alameda, Robinson, Sanford, Shanahan, Soward, Vosburg, and Mr. Speaker—42.
NOES—None.

Title read and approved.

Assembly Bill No. 460—An Act to amend Section 943 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Burnham, Caminetti, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Foreman, Goff, Guy, Henry, Hudson, Lacy, Leavitt, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McClellan, North of Alameda, Power of Placer, Robinson, Sanford, Shanahan, Soward, Vosburg, Wright, and Mr. Speaker—43.
NOES—None.

Title read and approved.

At eight o'clock and fifty-five minutes P. M., the Speaker called Mr. Leavitt to the chair.

Assembly Bill No. 461—An Act to amend Section 963 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Burnham, Caminetti, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Goff, Guy, Henry, Hudson, Lacy, Leavitt, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, North of Alameda, Power of Placer, Robinson, Sanford, Shanahan, Soward, and Vosburg—41.
NOES—None.

Title read and approved.

Assembly Bill No. 462—An Act to amend Section 977 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Burnham, Caminetti, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Goff, Guy, Henry, Lacy, Leavitt, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, North of Alameda, Power of Placer, Robinson, Ryan, Sanford, Soward, Vosburg, Wright, and Mr. Speaker—42.
NOES—None.

Title read and approved.

Assembly Bill No. 463—An Act to amend Section 980 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Arnerich, Bettman, Boone, Burnham, Caminetti, Canavan, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hudson, Lacy, Leavitt, Mahoney, Malcolm, Mead, Melick, Mulcrevy, North of Alameda, Pohlman, Power of Placer, Power of San Francisco, Ryan, Sanford, Stansell, Valentine, Vosburg, Wright, and Mr. Speaker—44
NOES—Messrs. Belshaw, McClellan, and Soward—3.

Title read and approved.

RESOLUTION—(CASE OF URGENCY).

By Mr. Cutter:

Resolved, That Assembly Bills Nos. 255, 372, 234, 374, 375, 478, and 291 each present a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

The question being upon the adoption of the resolution suspending the Constitution.

The roll was called, and pending the announcement of the result, Mr. Cutter moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hudson, Jones, Lacy, Leavitt, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McClellan, North of Alameda, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Ryan, Sanford, Soward, Stansell, Vosburg, Wright, and Mr. Speaker.

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

Lost.

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

Lost.

At nine o'clock and forty minutes P. M., Speaker Coombs resumed the chair.

The following members: Messrs. Breiling, Bridgford, Burnett, Cartwright, Hill, Houghton, Keables, Keegan, Kelly, Kenyon, Landsborough, Lindenberger, Mead, McGrath, McLaurin, North of Yolo, Rubell, Sims, Shanahan, Toland, Treacy, Valentine, and Waymire, were absent without leave, and the Speaker directed the Sergeant-at-Arms to bring the absent members before the bar of the House.

Messrs. Treacy, Kelly, and Rubell were brought before the bar of the House and excused.

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

So ordered.

The result of the roll call was announced, and the Constitution suspended by the following vote:

AYES—Messrs. Arnerich, Austin, Belshaw, Bettman, Boone, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hudson, Jones, Kelly, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, North of Alameda, Pohlman, Power of Placer, Robinson, Rubell, Ryan, Sanford, Soward, Stansell, Toland, Treacy, Vosburg, and Mr Speaker—55.

NOES—Messrs. Allen, Power of San Francisco, and Price—3.

Assembly Bill No. 255—An Act to amend Section 874 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, in relation to notice for bids for public work.

Read second time, considered engrossed, and read third time.

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

AYES—Messrs. Arnerich, Austin, Belshaw, Boone, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Foreman, Godfrey, Guy, Henry, Hudson, Kelly, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, North of Alameda, Power of Placer, Robinson, Rubell, Sanford, Stansell, Treacy, Vosburg, Wright, and Mr. Speaker—43.
NOES—None.

Title read and approved.

Assembly Bill No. 372—An Act to amend Sections 739, 769, and 2314 of the Political Code, relating to officers of the Supreme Court and their salaries.

Read second time, considered engrossed, and read third time.

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

AYES—Messrs. Allen, Arnerich, Austin, Bettman, Boone, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Guy, Henry, Hudson, Kelly, Kenyon, Leavitt. Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, North of Alameda, Ryan, Sanford, Soward, Stansell, Toland, Treacy, Vosburg, Wright, and Mr. Speaker—44.
NOES—Messrs. Belshaw, Lacy, Power of Placer, and Rubell—4.

Title read and approved.

At ten o'clock and fifteen minutes P. M., the Speaker called Mr. Kenyon, Speaker pro tem., to the chair.

Assembly Bill No. 234—An Act making an appropriation to pay the claim of the Tribune Publishing Company, for advertising the constitutional amendments.

Read second time, and considered engrossed.

Mr. Guy moved that the Assembly resolve itself into Committee of the Whole, with Mr. Kenyon in the chair, for the purpose of considering Assembly Bill No. 234.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Kenyon in the chair.

Assembly Bill No. 234 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Kenyon in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 234—An Act making an appropriation to pay the claim of the Tribune Publishing Company, for advertising the constitutional amendments—and now report the same back, and recommend that the same do pass.

KENYON, Chairman.

Adopted.

Assembly Bill No. 234—An Act making an appropriation to pay the claim of the Tribune Publishing Company, for advertising the constitutional amendments.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Arnerich, Austin, Bettman, Boone, Burnham, Caminetti, Chynoweth, Clarke, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Guy, Henry, Kelly, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm,

Mead, Melick, Mulcrevy, McCandlish, North of Alameda, Power of Placer, Robinson, Rubell, Ryan, Sanford, Shanahan, Soward, Stansell, Treacy, Wright, and Mr. Speaker—44.
NOES—Messrs. Foreman and Hudson—2.

Title read and approved.

Assembly Bill No. 200—An Act to amend Sections 925 and 928 of the Penal Code of the State of California, and add a new section to said Code, to be known as Section 929, relating to grand juries, their powers and duties.

Passed on file.

Assembly Bill No. 374—An Act to authorize Boards of Health of municipalities and counties of this State to issue subpœnas for witnesses, and to compel attendance of witnesses before such boards.

Read second time, considered engrossed, and to unfinished business.

Assembly Bill No. 375—An Act to confer further powers upon the Boards of Health of the municipalities and counties in this State.

Read second time, considered engrossed, and to unfinished business.

Assembly Bill No. 478—An Act making an appropriation to pay the deficiency in the appropriation for the payment of expenses incurred in calling the National Guard of California into service, by order of the Governor, during 1894.

Read second time.

Mr. Guy moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Kenyon in the chair, for the purpose of considering Assembly Bill No. 478.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Kenyon in the chair.

Assembly Bill No. 478 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Kenyon in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 478—An Act making an appropriation to pay the deficiency in the appropriation for the payment of expenses incurred in calling the National Guard of California into service, by order of the Governor, during the year 1894—and now report the same back, and recommend that the same do pass.

KENYON, Chairman.

Adopted.

Assembly Bill No. 478—An Act making an appropriation to pay the deficiency in the appropriation for the payment of expenses incurred in calling the National Guard of California into service, by order of the Governor, during the year 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. Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Burnham, Cammetti, Chynoweth, Clarke, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Guy, Henry, Hill, Hudson, Kelly, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, Power or Placer, Robinson, Rubell, Ryan, Soward, Vosburg, Wright, and Mr. Speaker—45.
NOES—None.

Title read and approved.

Assembly Bill No. 291—An Act supplementary to an Act entitled "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," approved March 27, 1895.

Read second time, considered engrossed, and to unfinished business.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Arnerich: Assembly Bill No. 860—An Act to provide for the dredging and improvement of Alviso Slough, and to appropriate money therefor.

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

By Mr. North, of Alameda: Assembly Bill No. 861—An Act to amend Section 224 of the Civil Code, regarding the adoption of children.

Read first time, and referred to Committee on Judiciary.

By Mr. Waymire: Assembly Bill No. 862—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the powers of the Boards of Trustees of certain cities.

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

ADJOURNMENT.

At ten o'clock and forty minutes P. M., on motion of Mr. Dibble, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 13, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Cross, Waymire, and McGrath were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

Pending the consideration of the correction of Journal of Thursday, February 11th, Mr. Caminetti requested a correction to show that on said day he had requested permission to introduce a bill out of order, and the request was denied.

The Speaker ruled his correction out of order, for the reason that such action is never noted by the Minute Clerk, and an exception would not be made in this case. Thereupon Mr. Caminetti protested against the ruling of the Speaker, and requested his protest entered in the Journal.

So ordered.

The Journal of Thursday, February 11th, was approved as corrected.

SPECIAL ORDERS.

Assembly Bill No. 607—An Act to amend Section 1670 of the Political Code.

Passed on file.

CORRECTION OF JOURNAL.

Mr. Guy moved that the vote by which the Journal of Monday, February 8th, was approved be reconsidered.

So ordered.

Mr. Guy moved that the names of Messrs. Bettman, Burnham, Dennery, Harris, and Mulcrevy be stricken from the roll call in the call of the House, shown on page 15 of last Monday's Journal.

So ordered.

The Journal of Monday, February 8th, was approved as corrected.

REPORTS OF STANDING COMMITTEES.

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Assembly Bill No. 200—An Act to amend Sections 925 and 928 of the Penal Code of the State of California, and to add a new section to said Code, to be known as Section 929, relating to grand juries, their powers and duties—have had the same under consideration, and respectfully report the same back without recommendation.

DIBBLE, Chairman.

Assembly Bill No. 200—An Act to amend Sections 925 and 928 of the Penal Code of the State of California, and add a new section to said Code, to be known as Section 929, relating to grand juries, their powers and duties.

Read first time, and placed on file for second reading.

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1897.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was re-referred Assembly Bill No. 430—An Act to provide for the pay-

ment of swamp and overflowed land funds into the treasury of the counties in which said swamp and overflowed lands are situated—have had the same under consideration, and respectfully report the same back without recommendation.

A. W. NORTH, Chairman.

Assembly Bill No. 430 ordered on file for second reading.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 766—An Act to add a new section to the Penal Code of the State of California, to be known as Section 181, relating to communicating with persons confined in the county jail—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 114—An Act to amend Section 1127 of the Penal Code, relating to charging the jury—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Judiciary.

H. T. POWER, Chairman.

Assembly Bill No. 766 ordered on file for second reading.
Senate Bill No. 114 referred to Committee on Judiciary.

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1897.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 638—An Act relating to the liens of miners and others upon mining claims—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

SOWARD, Chairman.

Assembly Bill No. 638—An Act relating to the liens of miners and others upon mining claims.
Read first time, and placed on file for second reading.

THE SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your Committee, the San Francisco Delegation, to whom was referred Senate Bill No 63—An Act to amend Section 5 of 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, approved March 27, 1895—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 135—An Act to amend Section 5 of 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, approved March 27, 1895—have had the same under consideration, and respectfully report the same back, and recommend that the author, Mr. Treacy, be allowed to withdraw the same, the provisions of which are identical with those of Senate Bill No. 63.

MULCREVY, Chairman.

Senate Bill No. 63 ordered on Senate special file.
Assembly Bill No. 135 withdrawn by author.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897

MR. SPEAKER: Your Committee, the San Francisco Delegation, to whom was referred Assembly Bill No. 485—An Act to confer further powers upon the Board of Supervisors

of the City and County of San Francisco in relation to the public pound, and the appointment of a poundmaster and deputy poundmaster therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MULCREVY, Chairman

Assembly Bill No. 485—An Act to confer further powers upon the Board of Supervisors in the City and County of San Francisco, in relation to the public pound, and the appointment of a poundmaster and deputy poundmaster therefor.

Read first time, and placed on file for second reading.

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1897.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 709—An Act protecting the claims of those who may furnish materials or who labor upon mining properties operated under powers which are obtained by bond or other contract, or a trust deed—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SOWARD, Chairman.

Assembly Bill No. 709—An Act protecting the claims of those who may furnish materials or who labor upon mining properties operated under powers which are obtained by bond or other contract of a trust deed.

Read first time, and placed on file for second reading.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the resolution, offered by Mr. Coombs, amending Rule I, so as to read as follows:

I.—HOUR OF MEETING.

The sessions of the House shall be daily (Sundays excepted), beginning at nine o'clock and thirty minutes A. M., until February 1, 1897, and adjournment shall be taken at twelve o'clock and thirty minutes. On and after said date, a recess shall be taken at twelve o'clock and thirty minutes until two o'clock. On and after the 16th day of February, 1897, there shall be evening sessions, commencing at seven o'clock and thirty minutes. The above rules may be suspended by a majority vote of the House.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CHYNOWETH, Chairman.

Resolution adopted.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1897

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 343—An Act to provide for the protection and preservation of public highways from damage by storm-waters and floods, and to authorize the expenditure of public moneys for the purposes thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CLARKE, Chairman.

Assembly Bill No. 343—An Act to provide for the protection and preservation of public highways from damages by storm-waters and floods, and to authorize the expenditure of public moneys for the purposes thereof.

Read first time, and placed on file for second reading.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 529—An Act to amend an Act entitled "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," approved March 26, 1895—have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

VALENTINE, Chairman.

Assembly Bill No. 529—An Act to amend an Act entitled "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," approved March 26, 1895.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 694—An Act authorizing municipal corporations to lease, purchase, own, and operate gravel-beds and quarries, and to transport gravel and rock therefrom to such municipal corporations, for the purpose of making, improving, and repairing roads—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VALENTINE, Chairman.

Assembly Bill No. 694—An Act authorizing municipal corporations to lease, purchase, own, and operate gravel-beds and quarries, and to transport gravel and rock therefrom to such municipal corporations for the purpose of making, improving, and repairing roads.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 2—An Act providing for the destruction of municipal bonds of municipal corporations where the same have been executed and remain unsold—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VALENTINE, Chairman.

Senate Bill No. 2 ordered on Senate special file for second reading.

MOTIONS.

Mr. Valentine moved that the report of the Committee on Contested Elections be re-referred to the committee for the purpose of having the report in such shape as it can be better understood by the members.

So ordered.

Mr. Kenyon called up for consideration the report of the Committee on Contested Elections, submitted on yesterday.

On motion of Mr. Belshaw, the report was re-referred to said committee, to be put in better form.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON PUBLIC LANDS AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1897.

MR. SPEAKER: Your Committee on Public Lands and Forestry, to whom was referred Assembly Bill No. 736—An Act making an appropriation to pay for the repairs and construction of buildings in Yosemite Valley, and for the improvement of the valley—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be re-referred to the Committee on Ways and Means.

HARRIS, Chairman.

So ordered.

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1897.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No 626—An Act legally defining what a miner's inch of water shall consist of.

Also: Assembly Bill No. 769—An Act to amend Section 1159 of an Act entitled "An

Act to establish a Civil Code," approved March 21, 1872. relative to recording certain instruments and validating records heretofore made.

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

SOWARD, Chairman.

Assembly Bill No. 626—An Act legally defining what a miner's inch of water shall consist of.

Read first time, and placed on file for second reading.

Assembly Bill No. 769 ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1897.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 828—An Act to provide for the appointment of a mining inspector in each congressional district in the State, to define his duties and provide for his compensation, and the liability of mining operators—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SOWARD, Chairman.

Assembly Bill No. 828 placed on file for second reading.

WITHDRAWAL OF BILL.

Mr. Guy moved that he be allowed to withdraw Assembly Bill No. 215.

So ordered.

RULING.

The Speaker ruled the motion of reconsideration made by Mr. Leavitt on the final action of the Assembly in refusing the passage of Assembly Bill No. 263, notwithstanding the Governor's objections, out of order.

INTRODUCTION OF BILLS.

By Mr. Dibble: Assembly Bill No. 863—An Act for the relief of the State Printing Office, and making an appropriation to pay the deficiency for the current fiscal year that may be found to exist in the appropriation for the support of said printing office for the said year at the date of the approval of this Act.

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

MOTIONS.

Mr. Dibble moved that Assembly Bill No. 863 go to the Committee on Public Printing and be made the special order for next Tuesday morning at eleven o'clock.

Mr. Caminetti moved to amend by making it the special order for next Monday at two o'clock P. M.

The question being on the amendment offered by Mr. Caminetti.

The ayes and noes were demanded by Messrs. Caminetti, Houghton, and Sanford.

The roll was called, and the amendment offered by Mr. Caminetti lost by the following vote:

AYES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Emmons, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Soward, Toland, and Treacy—29.

NOES—Messrs. Anderson, Arnerich, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cutter, Damon, Dibble, Ennis, Fontana, Golt, Guy, Harris, Henry, Hill, Hudson, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Robinson, Sims, Stansell, Valentine, Vosburg, and Mr. Speaker—36.

The motion of Mr. Dibble making Assembly Bill No. 863 the special order for next Tuesday morning at eleven o'clock was adopted.

INTRODUCTION OF BILLS—(RESUMED).

By Mr. Dibble: Assembly Bill No. 864—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-eighth fiscal year.

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

Mr. Dibble moved that Assembly Bill No. 864 be made the special order for next Tuesday at eleven o'clock A. M.

Mr. Caminetti moved to amend Mr. Dibble's motion by making the time Monday at two o'clock P. M.

Lost.

The question being on the adoption of Mr. Dibble's motion.

Motion carried.

By Mr. Shanahan: Assembly Bill No. 865—An Act making an appropriation for legislative printing for the thirty-second session of the Legislature.

Mr. Shanahan moved that the rules be suspended and Assembly Bill No. 865 read first time.

Mr. Dibble moved to lay the motion of Mr. Shanahan on the table.

The ayes and noes were demanded by Messrs. Caminetti, Burnett, and Houghton.

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

AYES—Messrs. Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cutter, Damon, Dibble, Ennis, Fontana, Goff, Guy, Harris, Henry, Hudson, Jones, Kelly, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Robinson, Sims, Stansell, Valentine, Vosburg, Wright, and Mr. Speaker—36.

NOES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Emmons, Foreman, Hill, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McLaurin, Price, Rubell, Ryan, Sanford, Shanahan, Soward, and Treacy—30.

Assembly Bill No. 865 referred to Committee on Public Printing.

RESOLUTION—(CASE OF URGENCY).

By Mr. Shanahan:

Resolved, That Assembly Bill No. 865—An Act making an appropriation for legislative printing for the thirty-second session of the Legislature—presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage, on Monday, February 15, 1897, at eleven o'clock A. M.

Mr. Shanahan moved the adoption of the resolution.

The ayes and noes were demanded by Messrs. Shanahan, Caminetti, and Houghton.

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

AYES—Messrs Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Dolan, Dryden, Elliott, Emmons, Foreman, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, McCandlish, McClellan, McLaurin, Rubell, Ryan, Sanford, Shanahan, Soward, Toland, and Treacy—27.

NOES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cutter, Damon, Dibble, Ennis, Fontana, Goff, Guy, Harris, Henry, Hill, Hudson, Jones, Kelly, Leavitt, Malcolm, Melick, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Robinson, Sims, Stansell, Valentine, Vosburg, Wright, and Mr. Speaker—38

INTRODUCTION OF BILLS—(RESUMED).

By Mr. Shanahan: Assembly Bill No. 866—An Act to add a new section to the Penal Code, to be known as Section 1424, relative to the manner of applying for pardons.

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

By Committee on County and Township Governments: Assembly Bill No. 867—An Act to amend Section 647 of the Penal Code of California.

Read first time, and placed on file for second reading.

By Mr. McClellan: Assembly Bill No. 868—An Act to amend Section 757 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. Burnham: Assembly Bill No. 869—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.

Read first time, and referred to Committee on Claims.

By Mr. Burnett: Assembly Bill No. 870—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 851 thereof, relative to the officers of municipal corporations of the sixth class.

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

Also: Assembly Bill No. 871—An Act to amend Section 1222 of the Code of Civil Procedure of California.

Read first time, and referred to Committee on Judiciary.

By Mr. North, of Alameda: Assembly Bill No. 872—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in the State.

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

By Mr. Treacy: Assembly Bill No. 873—An Act to amend Section 307 of an Act entitled an Act to establish a Civil Code, relating to the formation of corporations.

Read first time, and referred to Committee on Corporations.

By Mr. Malcolm: Assembly Bill No. 874—An Act to pay the claim of the County of Santa Clara, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

Mr. Mulcrevy moved that the Committee on Revision of Codes and Statutes be required to report back Senate Bill No. 191 immediately.

So ordered.

Mr. Belshaw moved to take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 12th day of February passed the following:

Senate Bill No. 75 (Committee Substitute for Senate Bill No. 75)—An Act to amend Section 862 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. 441—An Act authorizing 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, to issue bonds therefor, and to provide for the payment of the same

Also: Senate Bill No. 137—An Act to amend the Political Code of California by adding a new section, to be known as Section 2644, relating to Road Commissioners.

Also: Senate Bill No 57—An Act to regulate and govern the operation of the rock-crushing plant at the State Prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Senate Bill No. 75—An Act to amend subdivision 9 of Section 862 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and ordered on Senate special file.

Senate Bill No. 441—An Act authorizing 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, to issue bonds therefor, and to provide for the payment of the same.

Read first time, and ordered on Senate special file

Senate Bill No. 137—An Act to amend the Political Code of California by adding a new section, to be known as Section 2644, relating to Road Commissioners.

Read first time, and ordered on Senate special file.

Senate Bill No. 57—An Act to regulate and govern the operation of the rock-crushing plant at the State Prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom.

Read first time, and ordered on Senate special file.

Also:

SENATE CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 12th day of February passed the following:

Assembly Bill No. 451—An Act to amend Sections 632 and 634 of the Penal Code of the State of California, relating to fish.

Also: Assembly Bill No. 11—An Act to amend Sections 8 and 49 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 March 26, 1895.

Also: Assembly Bill No 283—An Act to change and permanently locate the boundary line between the counties of Butte and Yuba.

Also: Assembly Bill No. 415—An Act to amend Section 383 of the Code of Civil Procedure.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Assembly Bills Nos. 451 and 11 ordered back to Senate.

Assembly Bills Nos. 283 and 415 ordered to enrollment.

RESOLUTION.

By Mr. Caminetti:

Resolved, That the Superintendent of the State Printing Office be and he is hereby requested and directed to furnish the following information to the Assembly:

First—The names of all persons employed in said office dismissed therefrom on the 11th, 12th, and 13th days of February, 1897.

Second—The names of parties who recommended the persons so dismissed.

Mr. Caminetti moved that the resolution be referred to the Committee on Public Printing.

So ordered.

Mr. Caminetti moved that the Committee on Public Printing be instructed to report back the resolution on Monday morning at eleven o'clock.

Mr. Dibble moved to amend the motion by making the time for the committee to report the resolution at eleven o'clock A. M. on Tuesday.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1897.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 183—An Act to amend Section 690 of the Code of Civil Procedure, relating to exemptions from execution.

AUSTIN, Chairman

RESOLUTIONS.

By Mr. Sanford:

Resolved, That the Committee on Ways and Means be instructed to report back Assembly Bill No. 651—An Act making an appropriation to pay for legislative printing—to the House immediately, as our rules provide that all bills shall be returned to the House within ten days.

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

So ordered.

Mr. Guy moved that the Committee on Ways and Means be granted ten days' further time to report Assembly Bill No. 651.

The question being on the motion to grant the committee ten days' further time.

The ayes and noes were demanded by Messrs. Caminetti, Sanford, and Houghton.

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

AYES—Messrs. Anderson, Austin, Belshaw, Bettman, Breiling, Burnham, Chynoweth, Clarke, Cutter, Damon, Dibble, Ennis, Fontana, Goff, Guy, Henry, Hill, Hudson, Jones, Keables, Leavitt, Lindenberger, Melick, North of Alameda, Pohlman, Power of Placer, Price, Robinson, Sims, Soward, Valentine, Vosburg, Wright, and Mr. Speaker—34

NOES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Dolan, Dryden, Elliott, Emmons, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, Rubell, Sanford, Shanahan, and Toland—23.

By Mr. Landsborough:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for $12, in favor of W. O. Banks, Sergeant-at-Arms of the Assemby, from the Contingent Fund, to pay for articles as per attached bill:

State of California, to H. S. Crocker & Co., Dr.

January 12—One set of Pocket Codes for Assemblyman J. K. Burnett, $12 00

Adopted.

Mr. Dibble moved that the order of unfinished business be passed.

So ordered.

SPECIAL FILE.

Assembly Bill No. 405—An Act making an appropriation for improving the Capitol buildings and grounds.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Anderson, Arnerich, Austin, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Fontana, Goff, Guy, Henry, Hill, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Robinson, Rubell, Sanford, Sims, Shanahan, Soward, Stansell, Toland, Valentine, Vosburg, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Senate Bill No. 583—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, and to appoint a secretary therefor, to relieve said court from the overburdened condition of its calendar, and to provide for the compensation of said commissioners and secretary, and to appropriate money therefor.

Read second time, ordered engrossed and to third reading, to retain its place on the Senate special file.

THIRD-READING FILE.

Assembly Bill No. 80—An Act to provide for the employment of citizens of the United States upon public works within this State.

Passed on file.

Assembly Bill No. 18—An Act to amend clause 37, Section 25, County Government Act.

Passed on file.

Assembly Bill No. 150—An Act to define the duties and liabilities of employment agents.

Passed on file.

Assembly Bill No. 260—An Act to validate the organization and incorporation of municipal corporations.

Passed on file.

Assembly Bill No. 464—An Act to amend Section 1490 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 465—An Act to amend Section 1491 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 466—An Act to amend the Code of Civil Procedure by adding thereto a new section, to be numbered Section 1593, relating to the rights of executors and administrators to bid at foreclosure sales in certain cases.

Passed on file.

Assembly Bill No. 467—An Act to amend Section 1906 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 468—An Act to amend Section 1918 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 469—An Act to amend Section 1991 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 470—An Act to amend the Code of Civil Procedure by adding thereto two new sections, numbered, respectively, 2039 and 2040, relating to letters rogatory.

Passed on file.

Assembly Bill No. 119—An Act authorizing certain corporations to loan and invest money, and regulating the same.

Passed on file.

Assembly Bill No. 130—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insur-

ance," approved March 19, 1891, relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance and corporations hereafter to be formed to conduct such insurance.

Passed on file.

Assembly Bill No. 123—An Act to amend Section 634 of the Political Code, in relation to insurance, approved April 1, 1878.

Passed on file.

Assembly Bill No. 183—An Act to amend Section 690 of the Code of Civil Procedure, relating to exemptions from execution.

Passed on file.

Assembly Bill No. 45—An Act requiring every corporation doing business in this State to pay their employés, 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-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 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.

Passed on file.

Assembly Bill No. 71—An Act to amend Section 4428 of the Political Code of the State of California, relating to the powers of Judges of Police Courts to call in Justices of the Peace to act in their place and stead.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Goff, Guy, Harris, Henry, Hill, Houghton, Jones, Keables, Kelly, Kenyon, Lacy, Landsborough, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McClellan, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Sanford, Sims, Shanahan, Soward, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Assembly Bill No. 341—An Act relating to rights of way across mining claims.

Passed on file.

Assembly Bill No. 277—An Act to amend Section 3766 of the Political Code of the State of California, relating to the publication of the delinquent tax list.

Passed on file.

Assembly Bill No. 545—An Act to amend Section 1209 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 257—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 186, relating to counties of the twenty-fourth class.

Passed on file.

Assembly Bill No. 181—An Act to amend Section 60 of Chapter CCXXXIV of the Statutes of California, approved March 24, 1873, and entitled "An Act to establish a uniform system of county and township governments."

Passed on file.

Assembly Bill No. 256—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 60, relating to county officers and their term of office.

Passed on file.

Assembly Bill No. 114—An Act to provide for the publication of the State Blue Book, or Roster.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Anderson, Arnerich, Austin, Belshaw, Boone, Breiling, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Cutter, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Goff, Henry, Hill, Houghton, Hudson, Jones, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McLaurin, North of Alameda, North of Yolo, Pohlman, Rubell, Sims, Stansell, Toland, Vosburg, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Assembly Bill No. 275—An Act to add a new section to the Political Code, to be known and designated as Section 3466½, relating to the payment of invalid assessments in reclamation districts, and the crediting of the amount paid (to the tract or land upon which the same was assessed) upon subsequent assessments.

Passed on file.

At twelve o'clock and twenty minutes P. M., Mr. Cutter moved that the hour of recess be extended thirty minutes.

So ordered.

Assembly Bill No. 476—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal coporations," 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. Arnerich, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnham, Canavan, Clarke, Cutter, Damon, Dennery, Dibble, Elliott, Ennis, Fontana, Goff, Goodhue, Hill, Jones, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Robinson, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—50.

NOES—Messrs. Aldridge, Allen, Anderson, Caminetti. Chynoweth, Dolan, Dryden, Guy, Houghton, Hudson, McClellan, and Rubell—12.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1897.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 840—An Act to provide for an appropriation for the contingent expenses of

the Assembly—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUY, Chairman.

Assembly Bill No. 840 ordered on file for second reading.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 495—An Act relative to the granting by municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles.

Passed on file.

Assembly Bill No. 86—An Act to amend Section 1197 of the Code of Civil Procedure, relating to independent rights of action in cases of liens.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Caminetti, Chynoweth, Clarke, Cutter, Damon, Dolan, Dryden, Elliott, Emmons, Ennis, Goodhue, Guy, Henry, Houghton, Hudson, Jones, Keegan, Kelly, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Power of Placer, Robinson, Rubell, Ryan, Sims, Shanahan, Soward, Stansell, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Assembly Bill No. 100—An Act providing for the election or appointment 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 such Judges.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Bettman, Boone, Breiling, Bridgford, Burnham, Caminetti, Cartwright, Chynoweth, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Goodhue, Guy, Houghton, Hudson, Jones, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McLaurin, North of Alameda, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Stansell, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Assembly Bill No. 113—An Act to repeal Section 415 of the Political Code of California, relative to the translation of the laws into Spanish, and their distribution.

Passed on file.

Assembly Bill No. 273—An Act to amend Section 170 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualification of Judges, as amended by an Act 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. Aldridge, Allen, Arnerich, Austin, Boone, Breiling, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Goodhue, Henry, Houghton, Hudson, Jones, Keables, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Melick, Mulcrevy, McClellan, McLaurin, North of Alameda, North of Yolo, Pohlman, Robinson, Rubell, Sanford, Sims, Shanahan, Soward, Stansell, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

MOTION.

At twelve o'clock and fifty-five minutes P. M., Mr. Dibble moved that the hour of recess be extended fifteen minutes.

So ordered.

LEAVE OF ABSENCE.

Messrs. Bettman and Canavan were granted leave of absence for the day; Mr. Robinson until Monday noon, and Mr. Keables until Tuesday morning.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 275—An Act to add a new section to the Political Code, to be known and designated as Section 3466½, relating to the payment of invalid assessments in reclamation districts and the crediting of the amount paid (to the tract or land upon which the same was assessed) upon subsequent assessments.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Boone, Breiling, Bridgford, Burnham, Caminetti, Chynoweth, Clarke, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Guy, Henry, Houghton, Hudson, Jones, Keegan, Kelly, Kenyon, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Melick, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Sims, Soward, Stansell, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Assembly Bill No. 496—An Act to amend Section 1238 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. Aldridge, Allen, Arnerich, Belshaw, Boone, Breiling, Bridgford, Burnham, Caminetti, Chynoweth, Damon, Dibble, Dryden, Elliott, Goodhue, Guy, Henry, Houghton, Hudson, Jones, Kelly, Kenyon, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Rubell, Sims, Shanahan, Soward, Stansell, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Mr. Dibble moved that the House proceed to take up the Senate special file.

So ordered.

SENATE SPECIAL FILE.

Senate Bill No. 55—An Act to authorize State agricultural societies under the control of the State to sell property.

Read second time, and ordered on file for third reading.

Senate Bill No. 1—An Act to amend an Act to enable school districts in cities of the fifth class to issue bonds and to repeal an Act to enable cities of the fifth class to issue bonds for school purposes, approved March 23, 1893.

Passed on file.

At one o'clock and ten minutes P. M., Mr. Treacy moved that the Assembly do now adjourn.

Lost.

Senate Bill No. 16—An Act to reappropriate $125,000 for the erection of buildings for the use of affiliated and other departments of the University of California, in San Francisco.

Passed on file.

At one o'clock and fifteen minutes P. M., Mr. Dibble moved that the Assembly do now adjourn.

Lost.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Read second time, and ordered on file for third reading.

ADJOURNMENT.

At one o'clock and twenty minutes P. M., on motion of Mr. Dibble, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 15, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keegan, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Toland, Valentine, Vosburg, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Friday, February 12th, was approved as corrected.

LEAVE OF ABSENCE.

Messrs. Kenyon and Gately were granted leave of absence for the day.

SPECIAL ORDERS.

Assembly Bill No. 607—An Act to amend Section 1670 of the Political Code.

Passed on file.

REPORTS OF STANDING COMMITTEES.

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1897.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 365—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.

Also: Assembly Bill No. 556—An Act to enable all counties, incorporated towns or cities, or municipalities, or consolidated cities and counties of the State to use patented automatic voting or ballot machines, and to use and provide for the use of the Lucas voting machine, so called, at all and any elections therein.

Also: Assembly Bill No. 557—An Act to secure independence of voters in elections in the State of California, and for the secrecy of the ballot, and to provide for the use of automatic voting machines at elections in this State.

Also: Assembly Bill No. 663—An Act to enable all counties, incorporated towns, or municipalities, or consolidated cities and counties of this State, to use automatic voting or ballot machines, and to provide for their use at all and any elections therein.

Also: Assembly Bill No. 685—An Act to enable all counties, incorporated towns or municipalities, or consolidated cities and counties of the State, to use the Ellis automatic vote-printing ballot machine, or similar vote-printing ballot machines, and to provide for their use at all and any elections therein.

Also: Assembly Bill No. 803—An Act to create a commission, and name the commissioners thereof, who shall examine the various voting machines, and report thereon to the Legislature of California.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors have permission to withdraw the same, and report as a substitute therefor the following Assembly bill, viz.: An Act to create a commission for the purpose of examining, testing, and investigating voting machines, and reporting to the Legislature at its thirty-third session the result of such investigation, and making an appropriation for the expenses of such commission, and recommend that said substitute do pass.

H. H. NORTH, Chairman.

Assembly Bills Nos. 365, 556, 557, 663, 685, and 803 withdrawn by their respective authors.

By Committee on Election Laws: Assembly Bill No. 875—An Act to create a commission for the purpose of examining, testing, and investigating voting machines, and reporting to the Legislature at its thirty-third session the result of such investigation, and making an appropriation for the expenses of such commission.

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

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1897.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Senate Bill No. 463—An Act to amend Section 1114 of the Political Code of the State of California, relating to registration—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

H. H. NORTH, Chairman.

Senate Bill No. 463 placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1897.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 314—An Act to provide for the election of members of the governing committee, or body, of the respective political parties, associations, or organizations, to promote the purity of said elections by regulating the conduct thereof, and to prohibit certain acts and practices in relation to the privilege of free suffrage, and to provide for the punishment thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

H. H. NORTH, Chairman.

Assembly Bill No. 314—An Act to provide for the election of members of the governing committee, or body, of the respective political parties, associations, or organizations, to promote the purity of said elections by regulating the conduct thereof, and to prohibit certain acts and practices in relation to the privilege of free suffrage, and to provide for the punishment thereof.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1897.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 779—An Act to amend Section 1094 of the Political Code, relating to the registration of electors

Also: Assembly Bill No. 329—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 practices in relation thereto, and providing for the punishment thereof."

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

H. H. NORTH, Chairman.

Assembly Bill No. 779 passed on file for second reading.

Assembly Bill No. 329—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 practices in relation thereto, and providing for the punishment thereof."

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1897.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 354—An Act to amend Section 1196 of the Political Code, relating to elections—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

H. H. NORTH, Chairman.

Assembly Bill No. 354—An Act to amend Section 1196 of the Political Code, relating to elections.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1897.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No 178—An Act to amend Sections 1204 and 1230 of the Political Code of the State of California, relating to precinct registration and challenging of voters—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

H. H. NORTH, Chairman.

Assembly Bill No. 178—An Act to amend Sections 1204 and 1230 of the Political Code of the State of California, relating to precinct registration and challenging of voters.

Read first time, and placed on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1897.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No 796—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 bonds—have had the same under consideration and respectfully report the same back, and recommend that it do pass as amended.

LINDENBERGER, Chairman.

Assembly Bill No. 796 placed on file for second reading.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly bills as follows, viz.:

Assembly Bill No. 416—An Act to amend Section 389 of the Code of Civil Procedure.

Also: Assembly Bill No 70—An Act to amend Section 105 of the Code of Civil Procedure of the State of California, relating to the powers of Justices of the Peace to call in other Justices of the Peace to act in their place and stead

And presented the same to the Governor on this day, at two o'clock and twenty minutes P. M.

FONTANA, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1897.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 793—An Act to amend an Act entitled "An Act to prevent the sale of short-weight rolls of butter," approved March 11, 1893, and to add a new section thereto, numbered 3, relative to stamping the name and residence upon each roll—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, with amendments by this committee.

Assembly Bill No. 793 placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1897.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 31—An Act making an appropriation for aid to the district agricultural societies of the State now created and to be created pursuant to existing law, for the forty-ninth and fiftieth fiscal years.

Also: Assembly Bill No. 497—An Act for the relief of district agricultural associations.

Also: Assembly Bill No 795—An Act to amend an Act entitled "An Act entitled an Act to prevent the sale of short-weight rolls of butter," approved March 11, 1893

Also: Assembly Bill No. 767—An Act to amend an Act entitled "An Act to prevent the sale of short-weight rolls of butter," approved March 11, 1893.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw the same, as the subject-matter is covered by other bills.

Assembly Bills Nos. 31, 497, 795, and 767 withdrawn by their respective authors.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1897.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 364—An Act for the relief of district agricultural associations.

Also: Assembly Bill No. 661—An Act to regulate the manufacture and sale of commercial fertilizers.

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

PRICE, Chairman.

Assembly Bill No. 364—An Act for the relief of district agricultural associations.

Read first time, and placed on file for second reading.

Assembly Bill No. 661 placed on file for second reading.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations hereby report the following temporary rule, under Rule LXVII of the Assembly: That the following bills be considered at a meeting of the Assembly to be held Tuesday evening, February 16th, commencing at seven o'clock and thirty minutes; that all of said bills not now on the third-reading file be considered under the urgency clause of the Constitution, and be read second and third times, and placed on final passage; that no other business be transacted pending consideration of said measures, except by unanimous consent:

Assembly Bill No. 209—An Act making an appropriation to pay the claim of R. J Broughton, for transportation of prisoners.

Also: Assembly Bill No. 332 (Substitute for Assembly Bill No. 126)—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Also: Assembly Bill No. 374—An Act to authorize Boards of Health of municipalities

and counties of this State to issue subpœnas for witnesses, and to compel attendance of witnesses before such boards.

Also: Assembly Bill No 375—An Act to confer further powers upon the Boards of Health of the municipalities and counties in this State.

Also: Assembly Bill No. 291—An Act supplementary to an Act conferring power upon the Common Council, Board of Supervisors, or other governing body of 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, approved March 24, 1895.

Also: Assembly Bill No. 730—An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes.

Also: Assembly Bill No. 63—An Act to amend an Act approved March 26, 1893, entitled "An Act to create and administer a public school-teachers' annuity and retirement fund in the several counties, and cities and counties, in the State."

Also: Assembly Bill No. 200—An Act to amend Sections 925, 928 of the Penal Code of the State of California, and add a new section to said Code, to be known as Section 929, relating to grand juries, their powers and duties

Also: Assembly Bill No. 245—An Act making an appropriation to pay the claim of James H. Barry, publisher of the Star, for advertising the constitutional amendments.

Also: Assembly Bill No. 246—An Act making an appropriation to pay the claims of James McClatchy & Co, publishers of the Bee, for advertising the constitutional amendments

Also: Assembly Bill No. 248—An Act making an appropriation to pay the claim of the Herald Publishing Company, for advertising the constitutional amendments.

Also. Assembly Bill No. 361—An Act entitled an Act to amend the Political Code by adding a new section, requiring the State and subdivisions of the State to give preference to goods manufactured or produced in the State, when contracting for or purchasing goods or other property.

Also: Assembly Bill No. 483—An Act making an appropriation to pay the claim of Modoc County against the State of California.

Also: Assembly Bill No 536—An Act to authorize the Board of Fish Commissioners to dispose of the hatchery located on Battle Creek, in Tehama County, and expend the proceeds of the same.

Also: Assembly Bill No. 108—An Act making an appropriation to pay for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-eighth fiscal year.

CHYNOWETH, Chairman.

Report ordered printed in the Journal.

ON CONTESTED ELECTIONS.

MR. SPEAKER: Your Committee on Contested Elections, to whom was re-referred the report of said committee as printed in Assembly Journal of February 12th, beg to report as follows, viz:

Amount of claims presented in case of Hoey vs. Power, $4,030 90.

Amounts approved:

Walter Rosemond, witness fees and mileage		$4 40
J. J. Flynn, witness fees and mileage		4 40
John Ludlow, witness fees and mileage		4 40
C. F. Adams, witness fees and mileage		4 40
M. Cusick, witness fees and mileage		4 40
J. S. Cummings, witness fees and mileage		4 40
John Hoar, witness fees and mileage		4 40
L. Noel, witness fees and mileage		4 40
J. P. Devereaux, witness fees and mileage		4 40
Wm. Colbert, witness fees and mileage		4 40
Edward McKenna, witness fees and mileage		4 40
Wm. Flynn, witness fees and mileage		4 40
T. Growney, witness fees and mileage		4 40
Edward Forster, attorney for J. W. Power		100 00
Paul McDonald, attorney for J. W. Power		100 00
John W. Power, contestee:		
Subpœnaing witnesses	$24 00	
Mileage to San Francisco	18 00	
Expenses, 6 days, at $2	12 00	
		54 00
A. J. Morganstern, attorney for J. A. Hoey:		
Attorney fees	$100 00	
Subpœnaing witnesses	30 00	
		130 00
Seventeen witnesses, at $2	$34 00	
One witness, 2 days, at $2	4 00	
Mileage for above, at 20 cents	3 60	
Telegrams	1 05	
		42 65

Ernest J. Mott, stenographer		$311 40
W. M. Hinton, Registrar		35 50
L. J. Welch, Deputy Registrar		30 50
Chas Gildea, Deputy Registrar		30 50
T. W. Measure, watchman		5 00
Guy Hinton, watchman (denied)		------
Wells, Fargo & Co., express		7 80
B C. Kenyon, mileage $18, expenses 6 days, at $2, $12		30 00
W. F. Price, mileage $18, expenses 6 days, at $2, $12		30 00
H. M. Kelly, mileage $18, expenses 6 days, at $2, $12		30 00
H. McGrath, mileage, $18, expenses 6 days, at $2, $12		30 00
F. E. Cook, clerk, mileage, $18, expenses, 6 days, at $2, $12		30 00
Wm. O Banks, Sergeant-at-Arms, mileage to San Francisco	$18 00	
Assistant Sergeant-at-Arms, mileage to San Francisco	18 00	
Serving 3 subpœnas	3 00	
		39 00
A. A. Friedlander, Sergeant-at-Arms to committee, mileage to San Francisco	$18 00	
Seven days, at $5 per diem	35 00	
Expenses	5 00	
		58 00
Total		971 55
Amount of claim presented in case of Bennett vs. Toland:		
Peter Bennett		917 30
Thomas O. Toland		282 70
Total		$1,200 00
Amounts approved:		
Peter Bennett, Attorneys Orr and Poplin		$75 00
Attorney A. A. Friedlander		25 00
Thomas O. Toland, attorney fees		200 00
Total		$300 00

Resolved, That the Controller be and he is hereby authorized to draw his warrants, and the Treasurer is instructed to pay the same, in favor of the parties named, and whose claims are approved, in the above report, for the several amounts set opposite their respective names.

KENYON, Chairman.

Ordered printed in the Journal.

Mr. Emmons moved that the report of the Committee on Contested Elections be made a special order for Wednesday, immediately after reading of the Journal.

So ordered.

Mr. Belshaw moved that the bills reported by the Committee on Rules this morning be placed on the file, subject to the order of the Assembly.

So ordered.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Senate Bill No. 289—An Act to change the name of the Industrial Home of Mechanical Trades for Adult Blind of California to Home for Adult Blind—have had the same under consideration, and respectfully report the same back, and recommend that it be substituted on the file for Assembly Bill No. 224—No. 45 on file.

WRIGHT, Chairman.

So ordered.

ON PUBLIC WORKS, STATE CAPITOL, AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1897.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Senate Bill No. 57—An Act to regulate and govern the operation of the rock-crushing plant at the State Prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ENNIS, Chairman.

Senate Bill No. 57 placed on file for second reading.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1897.

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

Resolved, That A. W. Branch be and he is hereby appointed Assistant Clerk of the Assembly, whose duties shall be to attend the making of the Assembly General File. This appointment shall take effect from January 11, 1897, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrants in accordance herewith.

Have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

VOSBURG, Chairman.

Mr. Melick moved to recommit the resolution to the Committee on Attachés and Employés.

Mr. McClellan moved to amend by instructing the said committee to report not later than Wednesday.

Motion to amend lost.

The motion of Mr. Melick to recommit lost.

The question being upon the adoption of the resolution, the ayes and noes were demanded by Messrs. Lindenberger, Foreman, and Landsborough.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Bettman, Breiling, Bridgford, Burnham, Caminetti, Cutter, Dennery, Dibble, Dolan, Dryden, Emmons, Ennis, Fontana, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Jones, Leavitt, Mahoney, Malcolm, Mead, Mulcrevy, McCandlish, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of San Francisco, Ryan, Sanford, Sims, Soward, Stansell, and Valentine—42.

NOES—Messrs. Anderson, Belshaw, Boone, Canavan, Cartwright, Cross, Damon, Elliott, Foreman, Hill, Houghton, Hudson, Keegan, Landsborough, Lindenberger, Melick, McClellan, Power of Placer, Price, Rubell, Shanahan, Vosburg, Wright, and Mr. Speaker—24.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1897

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

WHEREAS, One J. Wilkins has from the beginning of this session of the Legislature done good and efficient service in caring for the gentlemen's toilet-room; and

WHEREAS, We deem it very necessary that said room should be well cared for; therefore, be it

Resolved, That the Sergeant-at-Arms be and is hereby instructed to draw his warrant upon the State Treasurer in favor of said J. Wilkins for a salary of $4 per diem from the beginning of this session, January 4, 1897, said salary 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 it be not adopted.

VOSBURG, Chairman.

The question being on the adoption of the resolution.

Lost.

LEAVE OF ABSENCE.

Messrs. Waymire and Strain were granted leave of absence for the day.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1897.

MR. SPEAKER: Your select committee, appointed to investigate into the matter of the purchase of furniture, ostensibly for the use of the various committees and members of this, the thirty-second, session of the Legislature, and to whom was referred the following resolution, introduced by Mr. Emmons:

Resolved, That this House instruct the Controller to withhold all warrants for furniture purchased during this, thirty-second, session of the Legislature, ostensibly for the

use of the various committees of the said Legislature, until the said purchase can be investigated by a committee appointed for that purpose.

Beg to report: That all of the members constituting said committee made a personal examination of the State Capitol storeroom, and found therein a large accumulation of broken and damaged furniture, consisting of chairs, desks, and lounges, among which your committee were shown the various chairs and desks which necessitated the purchase of new furniture to replace the same.

The new furniture was next examined in the various rooms in which it is now used, and found to consist of the following, to wit:

Twenty-eight ordinary chairs, purchased at an aggregate cost of	$56 00
Twelve office chairs, purchased at an aggregate cost of	105 00
One type-writing chair, purchased for the sum of	4 00
One reed rocking chair, purchased for the sum of	7 50
Twenty-four desks, purchased at an aggregate cost of	466 50
One large table, purchased for the sum of	15 00
Sixty-five yards carpet matting, purchased for the sum of	65 00
Sundry repairs to furniture, upholstering, and labor	81 25
Total cost of furniture, and repairs, etc.	$800 25

Requisitions for the various desks and chairs, etc., enumerated above, as received from the different committees and members ordering the same, with the exception of twelve ordinary chairs and the repairs and labor performed, are on file in the Sergeant-at-Arms' office, and the same have been examined by the committee and found correct.

In the judgment of your committee, the prices paid for all of the furniture purchased, and for the work performed, is reasonable, considering the quality of the furniture purchased and the work done.

The committee, therefore, recommends that the bill of the Sergeant-at-Arms, to the full amount of the same, to wit, $800 25, be paid.

With the recent fire which almost totally destroyed the State Capitol of the State of Pennsylvania fresh in their memories, it is forcibly impressed upon the committee, as part of their duties in connection with this investigation, to call attention to the condition of the State Capitol storeroom, which is most dangerous, and which hourly menaces this Capitol building.

Broken furniture, books and pamphlets, the accumulation of years, are piled up to the rafters, or scattered about the floors in an incongruous mass; a spark would be sufficient to set this mass of dry rot aflame, and a fire once started there would end, no one can predict where. The committee are unanimous in recommending that immediate attention be given to this dangerous condition of affairs, and that the State Capitol storeroom be cleared of its inflammatory contents without delay.

It is the sense of the committee that, upon the close of the present session of the Legislature, all furniture now used in the various rooms be turned over to the Secretary of State, and that he be instructed to properly care for the same until the next session of the Legislature.

HARRIS,
MALCOLM,
RYAN,
Committee.

MOTION.

Mr. Lindenberger moved that Assembly Bill No. 41 be recalled from enrollment.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 13, 1897.

MR. SPEAKER: I am directed to request your honorable body to return to the Senate Assembly Bill No. 22—An Act to amend Section 5 of 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—for further consideration.

Respectfully,

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Mr. Mead moved that Assembly Bill No. 22 be recalled from enrollment.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, February 15, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 12th day of February, passed the following: Senate Bill No. 443—An Act to amend

Section 758 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.

Senate Bill No. 443—An Act to amend Section 758 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.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1897.

MR. SPEAKER: Your Committee on Enrollment herewith return Assembly Bills Nos. 41 and 22, as per instructions.

FONTANA, Chairman

INTRODUCTION OF BILLS.

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

By Mr. North, of Yolo: Assembly Bill No. 876—An Act to regulate the business of commission merchants, agents, factories, or brokers dealing in farm produce, grain, fruit, seeds, honey, or dairy produce.

Read first time, and referred to Committee on Agriculture.

By Mr. Foreman: Assembly Bill No. 877—An Act to prevent the perpetuation of disease, to prevent crime, and to provide for a surgical operation in certain cases.

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

By Mr. Dennery: Assembly Bill No. 878—An Act to amend Section 360 of the Civil Code.

Read first time, and referred to Committee on Corporations.

By Mr. North, of Alameda: Assembly Bill No. 879—An Act to amend Section 1276 of the Code of Civil Procedure of the State of California.

Read first time, and referred to Committee on Corporations.

By Mr. Sims: Assembly Bill No. 880—An Act providing for an appropriation for the improvement of and repairs to Sutter's Fort and grounds.

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

By Mr. Guy: Assembly Bill No. 881—An Act to amend Section 3823 of an Act entitled "An Act to establish a Political Code of the State of California," approved March 12, 1872, relative to the assessment and collection of taxes on personal property.

Read first time, and referred to Committee on Judiciary.

By Mr. Dibble: Assembly Bill No. 882—An Act to amend Section 718 of the Civil Code, relating to the length of leases of city lots.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 883—An Act to amend Section 540 of the Code of Civil Procedure, relating to the issuance and form of writs of attachment in civil actions.

Read first time, and referred to Committee on Revision of Codes and Statutes.

By Mr. Cross: Assembly Bill No. 884—An Act to add a new section to the Political Code of California, to be known as Section 1476½, relating to the University Cadets of California.

Read first time, and referred to Committee on Military Affairs.

By Mr. Guy: Assembly Joint Resolution No. 28—Relative to a bill providing for the classification of clerks in first and second class post offices.

Read, and referred to Committee on Federal Relations.

MOTIONS.

Mr. Bridgford moved that the clerk of the Committee on Engrossment be instructed to return Assembly Bill No. 730 without engrossment.

So ordered.

Mr. Dibble moved that all Assembly Constitutional Amendments be transferred to the special urgency file from the unfinished-business file.

So ordered.

UNFINISHED BUSINESS.

Assembly Bill No. 209—An Act making an appropriation to pay the claim of R. J. Broughton, for transportation of prisoners.

Mr. Guy moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 209.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 209 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: Your Committee of the Whole have had under consideration Assembly Bill No. 209—An Act making an appropriation to pay the claim of R. J. Broughton, for transportation of prisoners—and now report the same back, with amendments, and recommend that the same do pass as amended.

COOMBS, Chairman.

Report adopted.

COMMITTEE AMENDMENT No. 1.

Amend the title by inserting therein, before the name "R. J. Broughton," the words "the estate of."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by inserting in Section 1, line 2, before the word "deficiency," the words "estate of R. J. Broughton, the same being a."

Adopted.

Assembly Bill No. 209 ordered to printer, reëngrossment, and third reading.

Assembly Bill No. 44—An Act to establish and support a Department of Labor.

Passed on file.

Assembly Joint Resolution No. 23—Relative to the protection of the farming industry.

Passed on file.

Assembly Bill No. 332—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Passed on file.

Assembly Bill No. 200—An Act to amend Sections 925 and 928 of the Penal Code of the State of California, and add a new section to said Code, to be known as Section 929, relating to grand juries, their powers and duties.

Passed on file.

Assembly Bill No. 374—An Act to authorize Boards of Health of municipalities and counties of this State to issue subpœnas for witnesses, and to compel attendance of witnesses before such boards.

Passed on file.

Assembly Bill No. 375—An Act to confer further powers upon the Boards of Health of the municipalities and counties in this State.

Passed on file.

Assembly Bill No. 291—An Act supplementary to an Act entitled "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," approved March 27, 1895.

Passed on file.

SPECIAL FILE.

Senate Bill No. 583—An Act to provide for the appointment, by the Supreme Court, of five commissioners, to be known as Commissioners of the Supreme Court, and to appoint a secretary therefor, to relieve said court from the overburdened condition of its calendar, and to provide for the compensation of said commissioners and secretary, 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. Anderson, Austin, Bettman, Boone, Breiling, Bridgford, Burnett, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cutter, Dennery, Dibble, Dolan, Elliott, Emmons, Ennis, Harris, Henry, Hill, Houghton, Hudson, Jones, Landsborough, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, McLaurin, North of Alameda, Power of Placer, Power of San Francisco, Price, Robinson, Sanford, Shanahan, Soward, Toland, Valentine, Vosburg, and Mr. Speaker—46.

NOES—Messrs. Cross, Keegan, and Rubell—3.

Title read and approved.

Mr. Lindenberger moved that the State Printer be instructed to print one thousand copies of Assembly Bill No. 730, as amended.

So ordered.

Assembly Bill No. 840—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read second time.

Mr. Cutter moved that the Assembly now resolve itself into a Committee of the Whole, with the Speaker in the chair, to consider Assembly Bill No. 840.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 840 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 840—An Act to provide for an appropriation for the contingent expenses of the Assembly—and now report the same back, and recommend that the same do pass.

COOMBS, Chairman.

Report adopted.

Mr. Bridgford moved to reconsider the vote whereby Assembly Bill No. 730 was ordered to engrossment.

So ordered.

Assembly Bill No. 730—An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes.

Mr. Bridgford offered the following amendments:

Amend by striking out of Section 3, lines 4 and 5, the words "*provided*, that if more than one appeal be taken they shall be consolidated and tried together," and inserting the same words in Section 4, line 3, after the word "record."

Adopted.

Also: Amend Section 99½, line 2, by adding the following, after the word "Act": "concerning reduction of bonded indebtedness."

Adopted.

Also: Amend Section 104, line 2, after the word "exceeding," by adding the following: "twenty-five years."

Adopted.

Also: Amend by striking out of Section 109, line 4, the word "of" after the word "rights," and inserting the word "or."

Adopted.

Assembly Bill No. 730 ordered to engrossment, printer, and third reading.

THIRD-READING FILE.

Assembly Bill No. 80—An Act to provide for the employment of citizens of the United States upon public works within this State.

Read third time.

Mr. Bettman moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 1, line 2, the words "or who has not declared his intention to become such."

Mr. Bettman was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 80—An Act to provide for the employment of citizens of the United States upon public works within this State—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

BETTMAN, Committee.

Report adopted.

Mr. Dibble moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend Section 1 by adding to line 7 the following: "Any contract made in contravention of the provisions of this Act shall be void, and no payment shall be made by any public officer upon any such void contract."

So ordered.

Mr. Dibble was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No 80—An Act to provide for the employment of citizens of the United States upon public works within this State—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out, and said bill has been amended by adding to line 7 in Section 1 the following: "Any contract made in contravention of the provisions of this Act shall be void, and no payment shall be made by any public officer upon any such void contract."

DIBBLE, Committee.

Report adopted.

Assembly Bill No. 80 ordered to reengrossment and printer.

Assembly Bill No. 18—An Act to amend clause 37, Section 25, County Government Act.

Passed on file.

Assembly Bill No. 150—An Act to define the duties and liabilities of employment agents.

Passed on file.

Assembly Bill No. 260—An Act to validate the organization and incorporation of municipal corporations.

Passed on file.

Assembly Bill No. 464—An Act to amend Section 1490 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 465—An Act to amend Section 1491 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 466—An Act to amend the Code of Civil Procedure by adding thereto a new section, to be numbered Section 1593, relating to the rights of executors and administrators to bid at foreclosure sales in certain cases.

Passed on file.

Assembly Bill No. 467—An Act to amend Section 1906 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 468—An Act to amend Section 1918 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 469—An Act to amend Section 1991 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 470—An Act to amend the Code of Civil Procedure by adding thereto two new sections, numbered, respectively, 2039 and 2040, relating to letters rogatory.

Passed on file.

Assembly Bill No. 119—An Act authorizing certain corporations to loan and invest money, and regulating the same.

Passed on file.

Assembly Bill No. 130—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891, relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance and corporations hereafter to be formed to conduct such insurance.

Passed on file.

Assembly Bill No. 123—An Act to amend Section 634 of the Political Code, in relation to insurance, approved April 1, 1878.

Passed on file.

Assembly Bill No. 183—An Act to amend Section 690 of the Code of Civil Procedure, relating to exemptions from 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. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Ennis, Fontana, Godfrey, Goff, Goodhue, Henry, Hill, Houghton, Hudson, Keegan, Kelly, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, Pohlman, Power of Placer, Price, Robinson, Rubell, Sanford, Soward, Valentine, Vosburg, and Mr. Speaker—49.

NOES—None.

Title read and approved.

At twelve o'clock and twenty-eight minutes P. M., on motion of Mr. Cutter, the hour of recess was extended fifteen minutes.

Mr. Cutter moved that the hour of recess be again extended fifteen minutes.

So ordered.

Assembly Bill No. 45—An Act requiring every corporation doing business in this State to pay their employés, 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-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 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.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Bettman, Boone, Burnett, Burnham, Canavan, Cartwright, Chynoweth, Clarke, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Godfrey, Goff, Goodhue, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Pohlman, Price, Robinson, Rubell, Sanford, Sims, Shanahan, Soward, Toland, Valentine, Vosburg, and Mr. Speaker—55.

NOES—None.

Title read and approved.

RECESS.

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

REASSEMBLED.

The Assembly reassembled at two o'clock and ten minutes P. M.
Speaker Coombs in the chair.
Quorum present.

CONCURRENT RESOLUTION.

Mr. North, of Alameda, asked unanimous consent to introduce a concurrent resolution out of order.
Request granted.

ASSEMBLY CONCURRENT RESOLUTION No. 5.

Appointing Senators Dickinson, Gillette, and Seawell, members of the Senate, and Messrs. Price, Dennery, and McLaurin, members of the Assembly, a joint committee of the Senate and Assembly to examine into and report upon the charges made by the Governor, relative to the management and conduct of the State Printer's office, in his message to the Assembly, of February 9, 1897, setting forth his reasons for vetoing Assembly Bill No. 263, and to examine into and report upon the management and conduct generally by the Superintendent of State Printing of the business and affairs of the State Printing Office, and to examine into and report upon the necessity for an appropriation for the support of and to carry on the business of the State Printing Office for the remainder of the forty-eighth fiscal year, and the probable amount required for such purpose.

Resolved by the Assembly of the State of California, the Senate concurring, That Senators Dickinson, Gillette, and Seawell, members of the Senate, and Messrs. Price, Dennery, and McLaurin, members of the Assembly, be and they are hereby appointed as a joint committee of the Senate and Assembly to examine into and report upon all matters connected with or in any way pertaining to the charges and statements made by the Governor of this State, relative to the management and conduct of the business and affairs of the State Printing Office in his veto message to the Assembly of February 9, 1897, accompanying Assembly Bill No. 263, entitled "An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year"; and to examine into and report upon all matters and things in any way connected with or pertaining to the management and conduct generally by the Superintendent of State Printing of the business and affairs of the State Printing Office, and to examine into and report upon the necessity for an appropriation for the support of, and to carry on the business of the State Printing Office for the remainder of the forty-eighth fiscal year, and the probable amount required for such purpose, and to further report such legislative measures as may be deemed necessary to insure a strictly economical administration of the affairs of said State Printing Office;

Resolved, That said joint committee be and it hereby is authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and things hereinabove enumerated, and to that end to employ all necessary clerical and expert assistance; and that said joint committee be and it hereby is authorized and empowered to send for persons and papers, and to take all necessary means to procure the attendance of witnesses and testimony; and the members of said joint committee are and each of them is hereby authorized to administer oaths; and that all the provisions of Article VIII, of Chapter II, Title I, Part III, of the Political Code of this State, relative to the "Attendance and examination of witnesses before the Legislature and committees thereof," shall apply to the joint committee appointed under this resolution, and that the Sergeant-at-Arms of either the Senate or the Assembly is hereby authorized and directed to serve any and all subpœnas and orders, or other process, that may be issued by the Chairman of the said joint committee, when directed to do so by the said Chairman.

Mr. North, of Alameda, moved that the rules be suspended for the purpose of considering the resolution.

Mr. Bridgford moved to postpone the further consideration at this time, and make it a special order for to-morrow morning, immediately after reading the Journal.

Mr. Bridgford asked leave to withdraw his motion.

Request granted.

Mr. North, of Alameda, asked leave to withdraw his motion.

Request granted.

The resolution was referred to Committee on Public Printing.

At two o'clock and forty minutes P. M., the Speaker called Mr. Ennis to the chair.

SENATE SPECIAL FILE.

Senate Bill No. 55—An Act to authorize State agricultural societies under the control of the State to sell 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. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Clarke, Cross, Cutter, Damon, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Harris, Hill, Houghton, Hudson, Jones, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Stansell, Valentine, and Vosburg—59.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Canavan gave notice that on next legislative day he would move to reconsider the vote whereby the resolution relative to the employment of A. W. Branch was defeated.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Pohlman: Assembly Bill No. 885—An Act to authorize the Board of Education of the City and County of San Francisco to lease school lots in said city and county.

Read first time, and referred to San Francisco Delegation.

By Mr. Godfrey: Assembly Bill No. 886—An Act to prevent the sale of short-weight rolls or packages of butter, and providing a penalty therefor.

Read first time, and referred to Committee on Agriculture.

By Mr. Arnerich: Assembly Bill No. 887—An Act to appropriate money for the uses of the State Board of Horticulture.

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

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 1—An Act to amend an Act to enable school districts in cities of the fifth class to issue bonds and to repeal an Act to enable cities of the fifth class to issue bonds for school purposes, approved March 23, 1893.

Read second time, and ordered on file for third reading.

Senate Bill No. 16—An Act to reappropriate $125,000 for the erection of buildings for the use of affiliated and other departments of the University of California, in San Francisco.

Read second time.

Mr. North moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Ennis in the chair, for the purpose of considering Assembly Bill No. 16.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Ennis in the chair.

Senate Bill No. 16 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Ennis in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 16—An Act to reappropriate $125,000 for the erection of buildings for the use of affiliated and other departments of the University of California, in San Francisco—and now report the same back, and recommend that the same do pass.

ENNIS, Chairman

Report adopted.

Senate Bill No. 16 ordered to third reading.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Read second time, and ordered on file for third reading.

Senate Bill No. 28—An Act to add a new section to the Political Code, to be known and designated as Section 1889½, relating to the authorization and employment of a specialist in sociological education in counties, and cities and counties, and providing for the duties and execution of the work of such specialist.

Read second time, and ordered on file for third reading.

Senate Bill No. 268—An Act to amend an Act entitled "An Act to amend Section 7 of the Civil Code of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

Read second time, and ordered on file for third reading.

Senate Bill No. 269—An Act to amend an Act entitled "An Act to amend Sections 10 and 134 of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

Read second time, and ordered on file for third reading.

Senate Bill No. 270—An Act to amend an Act entitled "An Act to amend Section 10 of the Political Code of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

Read second time, and ordered on file for third reading.

Senate Bill No. 145—An Act to amend Section 475 of the Code of Civil Procedure of the State of California, relating to errors and defects and reversals of judgments and orders.

Read second time.

The following amendment was submitted:

Amend Section 1 of the printed bill by striking out all after the word "unless," in line 9, down to and including the word "affirmatively," in line 10, and inserting in lieu thereof the words "it shall appear from the record."

Adopted.

Ordered to printer and third reading.

Senate Bill No. 369—An Act to amend Section 1213 of the Civil Code of the State of California, relative to the recording of conveyances.

Read second time.

The following amendment was submitted:

Amend by striking out the words "once recorded," in lines 8 and 9 of Section 1 of the printed bill, and inserting the word "recorded" before the word "conveyances," on line 8 thereof.

Adopted.

Ordered to printer and third reading.

WITHDRAWAL OF BILL.

By unanimous consent of the Assembly, Mr. Austin was allowed to withdraw Assembly Bill No. 399.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 178—An Act to add a new section to the Code of Civil Procedure of the State of California, relating to the voluntary dissolution of corporations, and to be known and numbered as Section 1234.

Read second time, and ordered on file for third reading.

Senate Bill No. 275—An Act to amend Section 388 of the Civil Code of the State of California, relative to the sale of a franchise to collect tolls.

Read second time, and ordered on file for third reading.

Senate Bill No. 179—An Act to amend Section 581 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 on file for third reading.

Senate Bill No. 113—An Act to amend Section 685 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 second time, and ordered recommitted to Committee on Judiciary, to retain its place on file.

Senate Bill No. 155—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.

The following amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out of Section 1, line 2, printed bill, after the word "appoint," down to and including the word "Senate," on line 3 thereof.

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out of Section 3, line 2, printed bill, the word "fund," and insert the word "money."

Adopted.

Mr. North, of Alameda, moved that the Assembly now go into Committee of the Whole, with Mr. Ennis in the chair, for the purpose of considering Senate Bill No. 155.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Ennis in the chair.

Senate Bill No. 155 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Ennis in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 155—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—and now report the same back with amendments, and recommend that the same do not pass.

ENNIS, Chairman.

Report adopted.

Senate Bill No. 155 ordered placed on file for third reading.

At three o'clock and thirty minutes P. M., Mr. Dibble moved that the time for consideration of Senate special file be extended fifteen minutes.

So ordered.

Senate Bill No. 47—An Act to amend Section 61 of the Civil Code, relating to the granting of divorces.

Read second time, and ordered on file for third reading.

Senate Bill No. 67—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 1703½, concerning the distribution of estate and discharge of executors and administrators.

Read second time, and ordered on file for third reading.

Senate Bill No. 122—An Act to add two new sections to the Code of Civil Procedure, said sections to be designated as Sections 663 and 663½, respectively, providing for the setting aside of a judgment of a Superior Court and the rendition of a new judgment without a new trial.

Read second time, and ordered on file for third reading.

Senate Bill No. 177—An Act to amend Section 638 of the Civil Code of the State of California, relating to the interest to be charged and security to be taken by mutual building and loan associations.

Read second time, and ordered on file for third reading.

Senate Bill No. 120 (Substitute for Assembly Bill No. 145)—An Act to legalize certain acknowledgments.

Read second time, and ordered on file for third reading.

Senate Bill No. 186—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the western 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 on file for third reading.

Senate Bill No. 338—An Act to amend Sections 2292, 2293, 2294, of Chapter III, Title V, of the Political Code, relating to the State Library.

Read second time, and ordered on file for third reading.

Senate Bill No. 310—An Act for the protection of the Antwerp messenger, or homing pigeon.

Read second time, and ordered on file for third reading.

Senate Bill No. 158—An Act to amend an Act entitled "An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the place of use," approved March 12, 1885, by inserting a new section therein, relating to contracts for the sale, rental, and distribution of water, and the sale or rental of easements and servitudes of the right to the flow and use of water.

Read second time, and ordered on file for third reading.

Senate Bill No. 63—An Act to amend Section 5 of 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, approved March 27, 1895.

Read second time, and ordered on file for third reading.

Senate Bill No. 2—An Act providing for the destruction of municipal bonds of cities of the fifth class, where the same have been executed and remain unsold.

Read second time, and ordered on file for third reading.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Valentine:

Resolved, That the Sergeant-at-Arms distribute immediately to each member of the Assembly one copy of Senate Bill No. 33—the Torrens Land Act.

On motion of Mr. Valentine, the rules were suspended and the resolution adopted.

By Mr. Mulcrevy:

Resolved, That the Committee on Revenue and Taxation be instructed to return to the House Assembly Bill No. 191, that it may be withdrawn by the author, as its provisions are identical with Senate Bill No. 32; also, that the Committee on Revision of Codes and Statutes be instructed to return to the House Senate Bill No. 32, and that it be placed on Senate special file.

On motion of Mr. Mulcrevy, the rules were suspended and the resolution adopted.

By Mr. Power:

Resolved, That in the election contest case of Hoey vs. Power the following expenses, in addition to the committee's previous report, be allowed the contestee, John W. Power.

Witness fees, seven witnesses, three days before Justice, at $2 per day,	$42 00
Serving subpœnas, fourteen witnesses, at $1 50 each	21 00
Fees of Justices Groezinger and Barry, taking testimony	76 75
Reporter's per diem, three days, at $5	15 00
Stenographer's fees, original transcript, 615 folios of testimony	61 50
Copy of same to contestee	30 75
	$247 00

Therefore, be it resolved, That the Controller be instructed to draw his warrant on the Contingent Fund of the Assembly for the above sum in favor of John W. Power, and the Treasurer is hereby authorized to pay the same.

McGRATH,
EMMONS,
KELLY,
Members Contested Elections Committee

Ordered printed in the Journal, to lay over until Wednesday.

MESSAGES FROM THE SENATE.

Mr. Belshaw called for the consideration of Senate messages laid over at morning session.

So ordered.

SENATE CHAMBER, SACRAMENTO, February 15, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 12th day of February amended and passed the following as amended.

Assembly Bill No. 11—An Act to amend Sections 8 and 49 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 March 26, 1895.

Also: Assembly Bill No 451 (Substitute for Assembly Bills Nos 73 and 102)—An Act to amend Sections 632 and 634 of the Penal Code of the State of California, relating to fish.

F. J. BRANDON, Secretary.

LEAVE OF ABSENCE.

Mr. Soward was granted leave of absence for Tuesday and Wednesday.

CONSIDERATION OF SENATE AMENDMENTS.

Assembly Bill No. 11—An Act to amend Sections 8 and 49 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 March 26, 1895.

The following Senate amendments were submitted:

In line 2 of Section 1, after the word "debtor" insert the words "approved March 26, 1895."

Also: In line 2 of Section 2, after the word "debtors," insert the words "approved March 26, 1895."

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. Aldridge, Allen, Anderson, Austin, Belshaw, Breiling, Bridgford, Burnett, Burnham, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Godfrey, Goodhue, Harris, Hill, Houghton, Hudson, Keegan, Kelly, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, North of Alameda, Pohlman, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Sims, Shanahan, Soward, Stansell, Valentine, Vosburg, and Wright—47.

NOES—None.

Assembly Bill No. 11 ordered to enrollment.

Assembly Bill No. 451 (Substitute for Assembly Bill No. 73 and Assembly Bill No. 102)—An Act to amend Sections 632 and 634 of the Penal Code of the State of California, relating to fish.

The following Senate amendments were submitted:

In Section 1, line 1, after the word "thirty-two," insert the words "of the Penal Code."

Also: In Section 2, lines 1 and 2, insert after the word "thirty-four," on line 1, the words "of the Penal Code"

Also: Amend by striking out of Section 1, line 9, the word "May," and inserting the following: "April"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Anderson, Arnerich, Belshaw, Bettman, Boone, Bridgford, Burnett, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McGrath, North of Alameda, North of Yolo, Pohlman, Power of Placer, Price, Rubell, Sims, Shanahan, Soward, Stansell, Strain, Valentine, Vosburg, and Wright—53.

NOES—None.

Assembly Bill No. 451 ordered to enrollment.

RESOLUTION.

By Mr. Cross:

Resolved, That immediately after roll call of the House to-morrow morning, February 16th, there shall be a roll call of the attachés and employés of the House, in front of the Speaker's desk And all persons borne on the list of attachés and drawing pay will be required to report and answer to their names; and all such attachés not complying herewith, unless absent by leave of the Sergeant-at-Arms or Chief Clerk, shall be dropped from the roll of said list of attachés of this House.

Mr. Cross moved that the rules be suspended and the resolution adopted.

The ayes and noes were demanded by Messrs. Landsborough, Lindenberger, and Aldridge.

The roll was called, and the motion of Mr. Cross lost by the following vote:

AYES—Messrs. Aldridge, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Cross, Cutter, Dryden, Elliott, Emmons, Foreman, Goodhue, Houghton, Hudson, Jones, Keegan, Landsborough, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, North of Yolo, Power of Placer, Price, Rubell, Shanahan, Soward, Stansell, Valentine, Vosburg, Wright, and Mr. Speaker—37.

NOES—Messrs. Allen, Anderson, Arnerich, Austin, Breiling, Clarke, Damon, Dennery, Dibble, Ennis, Goff, Guy, Harris, Hill, Kelly, Leavitt, Mahoney, North of Alameda, Ryan, Sims, and Strain—21.

The resolution was referred to Committee on Attachés and Employés.

MOTION.

On motion of Mr. Price, Assembly Bill No. 727 was made a special order for Wednesday morning, immediately after the reading of the Journal.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 15, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 10th day of February amended and passed the following as amended: Assembly Bill No. 41—An Act to amend Section 1469 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 $1,500—and herewith transmit a message setting forth that Assembly Bill No. 41 was amended, as per your request of this day.

F. J. BRANDON, Secretary.

Assembly Bill No. 41—An Act to amend Section 1469 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 $1,500.

The following Senate amendment was submitted:

Amend by striking out of Section 1, line 17, page 2, of the printed bill, the word "survivor" and inserting instead thereof the words "widow or minor children."

The question being, "Shall the Assembly concur in Senate amendments?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Allen, Anderson, Austin, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Damon, Dibble, Elliott, Ennis, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish McClellan, North of Alameda, North of Yolo, Price, Robinson, Rubell, Sims, Stansell, Valentine, Vosburg, Wright, and Mr. Speaker—43.

NOES—None.

Assembly Bill No. 41 ordered to enrollment.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1897.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No 860—An Act to provide for the dredging and improvement of Alviso Slough, 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. 680—An Act to provide for the funding and refunding of the indebtedness of levee and protection districts—have had the same under consideration, and respectfully report back a committee substitute, and recommend that the author withdraw Assembly Bill No. 680.

A. W. NORTH, Chairman.

Assembly Bill No. 860 placed on file for second reading.

Assembly Bill No. 680 withdrawn by author.

By Committee on Swamp and Overflowed Lands and River Improvements: Assembly Bill No. 888—An Act to provide for the funding and refunding of the indebtedness of levee and protection districts.

Read first time, and placed on file for second reading.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed, viz.: Assembly Bill No. 840—An Act to provide for an appropriation for the contingent expenses of the Assembly.

AUSTIN, Chairman.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 16, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Saturday, February 13th, was approved as corrected.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly reengrossed, viz.: Assembly Bill No. 607 (Substitute for Assembly Bill No. 37)—An Act to amend Section 1670 of the Political Code of California.

AUSTIN, Chairman.

LEAVE OF ABSENCE.

Mr. Keables was granted a leave of absence for the day.

SPECIAL ORDERS.

Assembly Bill No. 607—An Act to amend Section 1670 of the Political Code.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Canavan, Cartwright, Chynoweth, Clarke, Cross, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Kenyon, Landsborough, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Robinson, Rubell, Ryan, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Waymire, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Assembly Bill No. 65—An Act establishing a State Normal School in San Diego County, California, and making an appropriation of $50,000 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. Aldridge, Allen, Americh, Austin, Bettman, Breiling, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Jones, Kelly, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Soward, Strain, Toland, Valentine, Vosburg, and Wright—61.

NOES—Messrs. Anderson, Belshaw, Boone, Hudson, Keegan, McClellan, Shanahan, and Mr. Speaker—8.

Title read and approved.

PETITIONS.

Speaker Coombs presented a petition from citizens of San Francisco asking the passage of Senate Bill No. 33, known as the Torrens Land Act.

Placed on file.

Mr. Valentine presented the following petitions, and asked that the same be published in the Journal.

So ordered.

THE COUNCIL OF ASSOCIATED INDUSTRIES OF CALIFORNIA,
SAN FRANCISCO, February 5, 1897.

To J. J. CRAWFORD, ESQ., *State Mineralogist:*

DEAR SIR: At the last meeting of the Council of Associated Industries of California, the following resolutions were adopted and copies ordered sent to the Secretary of the Senate and the Speaker of the Assembly:

Resolved, That we look upon the State Mining Bureau as one of the important factors in the advancement of the mining industry of California, and urge upon our Legislature the necessity of providing for its continued proper maintenance and support. The reports and bulletins are not only directly useful to the miners of the State, but also serve a good purpose in attracting the attention of people of other States and countries to the advantages to be gained in following the business of mining in California; and also

Resolved, That it is urged upon the Legislature to furnish a suitable appropriation to continue the State Mining Bureau upon its present separate basis, and, instead of merging it into a consolidation of State bureaus with entirely different objects, as has been proposed, to keep it intact in its present condition, as it is the only bureau devoted to the mining industry of California—an industry contributing $25,000,000 annually in all its branches.

Yours very truly,
COUNCIL OF ASSOCIATED INDUSTRIES OF CALIFORNIA.
By C. L. BLETHEN, Acting Secretary.

MERCHANTS AND MANUFACTURERS' ASSOCIATION,
LOS ANGELES, CAL., February 9, 1897.

The following resolutions were adopted at the meeting of the Board of Directors of the Merchants and Manufacturers' Association of Los Angeles, held February 8, 1897:

WHEREAS, The California State Mining Bureau, as at present constituted, has been and is of great service to the mining interests of California; therefore,

Resolved, That the Merchants and Manufacturers' Association of Los Angeles commends the State Mining Bureau and its work to the favorable consideration of the Legislature of California, and to that end requests the Legislature of California to afford the State Mining Bureau adequate support; and be it further

Resolved, That this Association is opposed to having the State Mining Bureau placed under the control of or combined with any other institution.

WM. H. KNIGHT, Secretary.

SOUTHERN CALIFORNIA ACADEMY OF SCIENCES,
LOS ANGELES, CAL., February 10, 1897.

To Honorable J. J. CRAWFORD, *State Mining Bureau, San Francisco, Cal.*

The following resolutions were unanimously adopted at a general meeting of the Southern California Academy of Sciences held at Los Angeles, February 9, 1897

WHEREAS, The California State Mining Bureau as at present constituted has been and is of great service to the cause of science and to the mining interests of California;

Resolved, That the Southern California Academy of Sciences earnestly commends the State Mining Bureau and its work to the favorable consideration of the Legislature of California, and urges the Legislature to give the Mining Bureau adequate support; and

Resolved, That this society is opposed to having the State Mining Bureau placed under the control of or combined with any other institution.

WM. H. KNIGHT, President
B. R. BAUMGARDT, Secretary.

THE LOS ANGELES MINING AND STOCK EXCHANGE,
LOS ANGELES, CAL., February 5, 1897.

WHEREAS, The maintenance of the California State Mining Bureau is of the utmost importance to the mining interests of California; therefore, be it

Resolved, That the Los Angeles Mining and Stock Exchange fully indorses, and is in hearty sympathy with the work which has been done, and is now being done, by the said Mining Bureau; that the Mining Exchange is opposed to the transference of the said Mining Bureau to the State University at Berkeley, or its consolidation with any other institution; that the Legislature be requested to make a suitable appropriation for the support of the said bureau and the continuance of its work, that copies of this resolution be forwarded at once to Mr. J. J. Crawford, the State Mineralogist, to the Executive at Sacramento, and to the representatives of Los Angeles City and County in the State Legislature.

GEO. W. PARSONS, President.
J. H. BRYANT, Secretary.

LOS ANGELES CHAMBER OF COMMERCE,
LOS ANGELES, CAL., February 4, 1897.

Resolutions passed at the meeting of the Board of Directors held Wednesday, February 3, 1897:

Resolved, That in view of all that has been accomplished by the State Mining Bureau

in the past, the benefits which have followed the examinations and published reports on our oil territory by Deputy W. L Watts, and the great good the bureau is capable of in the future, as the only institution maintained in the interest of the miners of California, this Chamber is in full accord with all its work, and considers the proposed transfer to the State University, at Berkeley, to be prejudicial to the best interest of the mining industry in this State, and requests continued support on the present basis.

Resolved, That copies of this resolution be sent at once to our State representatives at Sacramento with a request for immediate action.

I hereby certify that the above is a true and correct copy of the resolutions passed on the above date

C. D. WILLARD, Secretary

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 156—An Act making an appropriation to pay the claim of Ernest Weyand, District Attorney of Colusa County, California, for moneys expended in behalf of the State of California, for foreclosing State school lands in Colusa County, State of California.

Also: Assembly Bill No. 717—An Act to provide for the payment of the claim of George H. Tay Company, for deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California.

Also: Assembly Bill No. 735—An Act making an appropriation to pay the claim of Charles Nelson, arising upon a judgment recovered by said Nelson against the State of California, in the Superior Court of the City and County of San Francisco, on May 27, 1896.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be referred to the Committee on Ways and Means.

Also: Assembly Bill No. 615—An Act to pay the claim of A. J. Bourne against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 711—An Act for the relief of John Barry.

Also: Assembly Bill No 765—An Act making an appropriation to pay the claim of A. W. Rapelye against the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended, and be referred to the Committee on Ways and Means.

BELSHAW, Chairman.

Assembly Bills Nos. 156. 717, 735, 615, 711, and 765 re-referred to Committee on Ways and Means.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations hereby report the following temporary rule, under Rule LXVII of the Assembly: That the following bills be considered at a meeting of the Assembly, to be held Thursday evening, February 18th, commencing at seven o'clock and thirty minutes, that all of said bills not now on the third-reading file be considered under the urgency clause of the Constitution, and be read second and third times, and placed on final passage; that no other business be transacted pending consideration of said measures, except by unanimous consent:

Assembly Bill No 827—An Act to amend Section 3664 of the Political Code, as amended by an Act approved March 9, 1883, and Section 3665 of the Political Code, as amended by an Act approved March 31, 1891

Also: Assembly Bill No. 706—An Act authorizing the Clerk of the Supreme Court to furnish his office, and make an appropriation therefor.

Also: Assembly Bill No 250—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant-Governor Millard.

Also: Assembly Bill No. 262—An Act making an appropriation to pay the claim of George E. Lawrence, for services rendered the State of California at the funeral of the late Lieutenant-Governor Millard.

Also: Assembly Bill No 288—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building and furniture, etc.

Also: Assembly Bill No 244—An Act making an appropriation to pay the claim of the Examiner, for advertising the constitutional amendments

Also: Assembly Bill No 679—An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and providing for the deposit of district records with County Recorders, and prescribing the effect to be given to recordation of notices of location and affidavits. (Substitute for Assembly Bill No. 551.)

Also: Assembly Bill No. 769—An Act to amend Section 1159 of an Act entitled "An

Act to establish a Civil Code," approved March 21, 1872, relative to recording of certain instruments and validating records heretofore made.

Also: Assembly Bill No. 646—An Act making an appropriation to pay the claim of James V. Hicks, for expenses incurred in going to New York after A. L. Gibbs, a fugitive from justice

Also: Assembly Bill No. 66—An Act to enable cities incorporated and operating under a charter framed under Section 8, Article XI, of the Constitution, to abandon and annul such charter, and organize under general laws.

Also: Assembly Bill No. 385—An Act to amend Section 2643 of the Political Code, relating to the duties of Boards of Supervisors respecting roads

Also: Assembly Bill No. 783—An Act to amend Section 2737 of the Political Code, relating to bridges and highways, and the construction of bridges over ditches and across highways. (Substitute for Assembly Bill No. 196)

Also: Assembly Bill No. 623—An Act to amend Sections 350, 351, and 354 of the Penal Code of the State of California, relating to the punishment of counterfeiting trademarks, and the sale of goods bearing counterfeited trademarks, and other infringements of the rights of trademarks.

Also: Assembly Bill No 15—An Act to appropriate $1,535 25 to pay the claim of W. W. Foote and Garret W. McEnerney, for legal services rendered and expenses incurred by them in that certain action commenced in and decided by the Supreme Court of the State of California, and which was therein entitled "The People of the State of California, on relation of John C. Lynch, petitioner, vs. James H. Budd, respondent," and numbered S. F No. 600.

Also: Assembly Bill No 813—An Act to add a new section to the Civil Code of California, to be known as Section 431 thereof, relating to the form of fire insurance policies.

CHYNOWETH, Chairman.

Adopted.

MOTION.

Mr. Dibble moved that the report of the Committee on Rules and Regulations submitted yesterday, making a special file for this evening's session, be adopted.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes to whom was referred Senate Bill No. 32—An Act to amend Section 3633 of the Political Code of the State of California, relating to the assessment of property of persons neglecting or refusing to make and give to the Assessor a statement of his property.

Also: Assembly Bill No. 707—An Act to amend Section 803 of the Code of Civil Procedure of the State of California, approved March 11, 1872, relating to actions for the usurpation of an office or franchise.

Also: Assembly Bill No. 773—An Act to amend Section 955 of the Political Code of the State of California, relating to sureties upon bonds and undertakings.

Also Assembly Bill No. 777—An Act to amend Sections 3840, 3845, 3846, 3851, 3853, 3854, 3857, 3858, and 3862 of the Political Code of the State of California, relating to poll tax and the collection thereof.

Have had the same under consideration, and respectfully report the same back without recommendation.

DIBBLE, Chairman.

Senate Bill No. 32 ordered on Senate special file for second reading.

Assembly Bills Nos. 707, 773, and 777 ordered on file for second reading.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No 863—An Act for the relief of the State Printing Office, and making an appropriation to pay the deficiency for the current fiscal year that may be found to exist in the appropriation for the support of said printing office for the said year at the date of the approval of this Act.

Also: Assembly Bill No 864—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-eighth fiscal year.

Also: Assembly Bill No. 865—An Act making an appropriation for legislative printing for the thirty-second session of the Legislature.

Have had the same under consideration, and respectfully report the same back with a substitute therefor, and recommend that Assembly Bills Nos. 863, 864, and 865 be withdrawn, and that said substitute therefor do pass.

LEAVITT, Chairman.

INTRODUCTION OF BILL (OUT OF ORDER).

By Committee on Public Printing: Assembly Bill No. 889 (substitute for Assembly Bills Nos. 863, 864 and 865)—An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year, and repealing certain existing laws, as far as they may be inconsistent with this Act.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred the following resolution:

Resolved, That the Superintendent of the State Printing Office be and he is hereby requested and directed to furnish the following information to the Assembly:

First—The names of all persons employed in said office dismissed therefrom on the 11th, 12th, and 13th days of February, 1897.

Second—The names of parties who recommended the persons so dismissed.

Have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the joint investigating committee.

LEAVITT, Chairman.

Mr. Caminetti moved as a substitute for the report of the Printing Committee that the resolution be adopted.

The question being on the adoption of the resolution.

The ayes and noes were demanded by Messrs. Caminetti, Sanford, and Shanahan.

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

AYES—Messrs. Boone, Bridgford, Burnett, Caminetti, Dolan, Dryden, Elliott, Emmons, Foreman, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—28.

NOES—Messrs. Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Kelly, Kenyon, Leavitt, Lindenberger, Melick, North of Yolo, Power of Placer, Price, Robinson, Sims, Soward, Strain, Valentine, Vosburg, Waymire, and Mr. Speaker—38.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Senate Bill No. 106—An Act to amend Section 412 of the Penal Code, relating to boxing or sparring matches, and prize or ring fights—have had the same under consideration, and respectfully report the same back without recommendation, and with amendment.

Also: Senate Bill No. 104—An Act to amend Section 412 of the Penal Code, relating to prize-fights, ring-fights, glove-contests, or any other premeditated fight, contest, or contention, by whatsoever name or names it or they may be called, and prescribing penalties for 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. 112—An act prohibiting the sending of minors into saloons and places of ill-repute, and fixing the penalty therefor—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. 487—An Act entitled an Act to suppress bucket-shops, and gambling in stocks, bonds, petroleum, cotton, grain, provisions, or other produce—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

BETTMAN, Chairman.

Senate Bills Nos. 104 and 106 ordered on file for second reading.

Assembly Bill No 112 withdrawn by author.

Assembly Bill No. 487—An Act entitled "An Act to suppress bucket-shops, and gambling in stocks, bonds, petroleum, cotton, grain, provisions, or other produce."

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 498—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children, and to prevent and punish wrongs to children," approved March 29, 1878—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BETTMAN, Chairman.

Assembly Bill No. 498—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children, and to prevent and punish wrongs to children," approved March 29, 1878.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 853—An Act to amend Section 1108 of the Penal Code, relating to the evidence required upon trial for abortion, seduction, and seduction upon promise of marriage.

Also: Assembly Bill No 728—An Act to amend Section 4 of an Act entitled "An Act for the incorporation of societies for the prevention of cruelty to children, approved April 3, 1876.

Also: Assembly Bill No 831—An Act to punish parents, guardians, or persons permitting the malformation, etc, of minor children.

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

BETTMAN, Chairman.

Assembly Bills Nos. 853, 728, and 831 ordered on file for second reading.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred the following:

ASSEMBLY CONCURRENT RESOLUTION NO. 6.

Appointing Senators Dickinson, Gillette, and Seawell, members of the Senate, and Messrs Price, Dennery, and McLaurin, members of the Assembly, a joint committee of the Senate and Assembly to examine into and report upon the charges made by the Governor, relative to the management and conduct of the State Printer's office, in his message to the Assembly, of February 9, 1897, setting forth his reasons for vetoing Assembly Bill No. 263, and to examine into and report upon the management and conduct generally, by the Superintendent of State Printing, of the business and affairs of the State Printing Office, and to examine into and report upon the necessity for an appropriation for the support of and to carry on the business of the State Printing Office for the remainder of the forty-eighth fiscal year, and the probable amount required for such purpose.

Resolved by the Assembly of the State of California, the Senate concurring, That Senators Dickinson, Gillette, and Seawell, members of the Senate, and Messrs. Price, Dennery, and McLaurin, members of the Assembly, be and they are hereby appointed as a joint committee of the Senate and Assembly to examine into and report upon all matters connected with or in any way pertaining to the charges and statements made by the Governor of this State, relative to the management and conduct of the business and affairs of the State Printing Office, in his veto message to the Assembly of February 9, 1897, accompanying Assembly Bill No. 263, entitled "An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year"; and to examine into and report upon all matters and things in any way connected with or pertaining to the management and conduct generally by the Superintendent of State Printing of the business and affairs of the State Printing Office, and to examine into and report upon the necessity for an appropriation for the support of and to carry on the business of the State Printing Office for the remainder of the forty-eighth fiscal year, and the probable amount required for such purpose, and to further report such legislative measures as may be deemed necessary to insure a strictly economical administration of the affairs of said State Printing Office.

Resolved, That said joint committee be and it hereby is authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters

and things hereinabove enumerated, and to that end to employ all necessary clerical and expert assistance; and that said joint committee be and it hereby is authorized and empowered to send for persons and papers, and to take all necessary means to procure the attendance of witnesses and testimony; and the members of said joint committee are and each of them is hereby authorized to administer oaths; and that all the provisions of Article VIII, of Chapter II, Title I, Part III, of the Political Code of this State, relative to the "Attendance and examination of witnesses before the Legislature and committees thereof," shall apply to the joint committee appointed under this resolution, and that the Sergeant-at-Arms of either the Senate or the Assembly is hereby authorized and directed to serve any and all subpœnas and orders, or other process that may be issued by the chairman of the said joint committee, when directed to do so by the said chairman.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

LEAVITT, Chairman.

Mr. Mead gave notice that he reserved the right to file a minority report of the Committee on Public Printing at any time before eleven o'clock A. M. to-morrow.

Mr. Dibble moved that further consideration of Assembly Bills Nos. 863, 864, 889, and Assembly Concurrent Resolution No. 5, be postponed and made a special order for to-morrow at eleven o'clock A. M.

So ordered.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly bills as follows, viz:

Assembly Bill No 283—An Act to change and permanently locate the boundary line between the counties of Butte and Yuba.

Also: Assembly Bill No. 415—An Act to amend Section 383 of the Code of Civil Procedure

And presented the same to the Governor on this day at three o'clock P M.

FONTANA, Chairman.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1897.

MR SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 358—An Act to amend Sections 1895, 1912, 1915, 1917, 1919, 1923, 1938, 1951, 1955, 1958, 1962, 1965, 1968, 1982, 1984, 1990, 2003, 2006, 2007, 2220, 2023, 2028, 2031, 2094, and 2101, Political Code, State of California, relating to the National Guard; and to repeal Sections 1913, 1945, 2099, 2105, 2109, and 2110, Political Code, State of California, relating to the National Guard, and to add one new section to the Political Code, State of California, relating to the National Guard, to be known and numbered as Section 1946—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same, as Assembly Bill No. 544 is a substitute therefor.

CROSS, Chairman.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1897.

MR. SPEAKER: Your committee, the San Francisco Delegation, to whom was referred Assembly Bill No. 280—An Act to create a Police Court in and for the City and County of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, and that the author, Mr. Godfrey, be allowed to withdraw the bill.

MULCREVY, Chairman.

Assembly Bill No. 280 withdrawn by author.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 13—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—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No 810—An Act to amend Section 3 of an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883,

providing for the submission of the question of reincorporation of such corporations at special elections—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 843—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, by amending Section 1 of said Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VALENTINE, Chairman.

Senate Bill No. 13 placed on Senate special file for second reading.

Assembly Bills Nos. 810 and 843 placed on file for second reading.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly reengrossed

Assembly Bill No. 332—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

AUSTIN, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 159—An Act to pay the claim of William M. Sullivan against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 847—An Act to provide for the transfer from the Whittier State School at Whittier of the girls heretofore committed thereto under the laws of this State, and for their maintenance and care, as well as that of such other girls as shall be hereafter so committed under said law, and to establish, maintain, and locate in the County of Santa Clara, State of California, on that certain tract of land belonging to the State of California, and heretofore used by the California Home for the Care and Training of Feeble-Minded Children, in the town of Santa Clara, in said county, an institution for the discipline, education, employment, reformation, and protection of female juvenile delinquents, to be known as "The Santa Clara State School," and to make an appropriation therefor

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

GUY, Chairman.

Assembly Bill No. 159—An Act to pay the claim of William M. Sullivan, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 847 placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 5—An Act for the relief of 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. 318—An Act making an appropriation to pay the claim of John F. Kidder, for traveling expenses, from August 15, 1893, to December 21, 1896, inclusive

Also: Assembly Bill No 319—An Act making an appropriation to pay the sum fixed, awarded, and allowed by the State Board of Examiners, as fees for services to date of the additional counsel employed to assist the Attorney-General in the defense of the suit brought in the U. S. Circuit Court for the Northern District of California by the Southern Pacific Company against the Board of Railroad Commissioners 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.

GUY, Chairman.

Assembly Bills Nos. 5 and 318 placed on file for second reading.

Assembly Bill No. 319—An Act making an appropriation to pay the sum fixed, awarded, and allowed by the State Board of Examiners, as fees for services to date of the additional counsel retained to assist the Attorney-General in the defense of the suit brought in the United States

Circuit Court for the Northern District by the Southern Pacific Railroad Company against the Board of Railroad Commissioners of California.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 187—An Act appropriating the sum of $5,000 for repairs and improvements in the State Normal School at Los Angeles, California.

Also: Assembly Bill No. 241—An Act making an appropriation to pay the expenses incurred for the funeral of the late State Librarian, W. D. Perkins.

Also: Assembly Bill No. 839—An Act making an appropriation to pay the claim of Marion Pirkey, for moneys advanced to the National Guard of California.

Also: Assembly Bill No. 232—An Act making an appropriation to pay for advertising the constitutional amendments for 1894

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

GUY, Chairman.

Assembly Bill No. 187—An Act appropriating the sum of $5,000 for repairs and improvements in the State Normal School at Los Angeles, California.

Read first time, and placed on file for second reading.

Assembly Bill No. 241—An Act making an appropriation to pay the expenses incurred for the funeral of the late State Librarian, W. D. Perkins.

Read first time, and placed on file for second reading.

Assembly Bill No. 839—An Act making an appropriation to pay the claim of Marion Pirkey, for moneys advanced to the National Guard of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 232—An Act making an appropriation to pay for advertising the constitutional amendments for 1894.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 850—An Act to assist the Woman's Relief Corps, auxiliary to the Grand Army of the Republic of the Department of California and Nevada, to provide for ex-army nurses, and the worthy destitute widows, wives, mothers, and destitute maiden daughters or sisters of veterans who served honorably in the war for the Union, and making an appropriation therefor.

Also: Assembly Bill No. 160—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 161—An Act to pay the claim of William H. Donnelly 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 they do pass.

GUY, Chairman.

Assembly Bill No. 850 placed on file for second reading.

Assembly Bill No. 160—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 161—An Act to pay the claim of W. H. Donnelly against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 118—An Act making an appropriation to pay the claim of the Evening Express Company, of Los Angeles, California.

Also: Assembly Bill No. 437—An Act making an appropriation to pay the claim of F. M. Millikan, for publishing delinquent purchasers of State school lands

Also: Assembly Bill No 538—An Act to amend Sections 2569, 2570, 2571, and 2572 of the Political Code of the State of California, and to add six new sections thereto, to be numbered 2573, 2574, 2574*a*, 2574*b*, 2574*c*, and 2574*d*, relating to the Board of Harbor Commissioners for the Port of Eureka, and making an appropriation therefor.

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

GUY, Chairman

Assembly Bill No. 118—An Act making an appropriation to pay the claim of the Evening Express Company, of Los Angeles, California.

Read first time, and placed on file for second reading.

Assembly Bill No. 437—An Act making an appropriation to pay the claim of F. M. Millikan, for publishing delinquent purchasers of State school lands.

Read first time, and placed on file for second reading.

Assembly Bill No. 538 placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO February 16, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly resolution, by Mr. Dibble, providing for the purchase of three sets of Deering's Annotated Codes.

Also: Assembly resolution providing for the distribution of one hundred and twenty copies of the Assembly Journal

Also: Assembly resolution, by Mr. Henry, to pay for supplies purchased by the Sergeant-at-Arms

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

GUY, Chairman.

Bought of H. S. Crocker & Co.:

January 18—3 sets Deering's Annotated Codes @ $25 ..... $75 00

Resolved, That the Secretary of State be and is hereby authorized and directed to furnish the Committees on Judiciary, Revision of Codes, and Election Laws, each one set of Deering's latest edition Annotated Codes, and the State Controller is hereby directed to draw his warrant on the fund for the payment of the contingent expenses of the Assembly in payment for the same, and the State Treasurer is hereby authorized to pay said warrant.

Resolution adopted.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred resolution by Mr Godfrey:

Resolved, That one hundred and twenty copies of the bound Journal of the thirty-second session of the Assembly be made, and one copy be sent by the Secretary to each incorporated town free public reading-room in the State, the payment for which to be provided for out of the State General Fund [See Journal, January 11, p. 14.]

Have had the same under consideration, and respectfully report the same back, and recommend that same be re-referred to the Committee on Ways and Means.

WAYMIRE, Chairman.

Resolution adopted.

SACRAMENTO, CAL., January 30, 1897.

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for the sum of one hundred and twenty-nine dollars and sixty-three cents ($129 63) in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, from the Contingent Fund, to pay for articles as per attached bills:

State of California to W. O. Banks, Sergeant-at-Arms of Assembly, Dr.:

January 16	24 feet blue cord, 25c; 2 screw eyes, 10c; labor, 75c	$1 10
16	Repairing basin, $2, one galvanized iron strainer for sink, $2 50	4 50
18	Bulletin board, painted and lettered	20 00
20	Key rings and keys	4 90
21	Washing towels for ladies' and gentlemen's toilet	12 50
22	2⅛ dozen Globe files	27 41
25	Repairing locks and keys, and new keys for doors and desks	45 22
31	1400 lbs. ice	14 00
		$129 63

Bought of Tom Scott:

January 16—24 feet blue cord, 25c; 2 screw-eyes, 10c; labor, 75c	$1 10	
Labor, repairing basin	2 00	
One galvanized iron strainer, made to order, for slop sink	2 50	
		$5 60

Bought of H. C. Chipman:

January 18—Bulletin, 6 x 5 feet, complete, painted, lettered, and strapped	20 00

Bought of Chas. Flohr:

January 6—4 keys to room 70	$2 00	
7—4 desk keys	1 00	
8—6 desk keys	1 50	
8—4 key rings	40	
		4 90

Mrs. Mary Wells:

January 31—To washing towels for ladies' toilet, and gents' toilet, and Sergeant-at-Arms' office	12 50

Bought of H. S. Crocker Co.:

January 22—2½ dozen Globe files, @ $12 65	27 41

Bought of C. H. Rave:

January 25—Repairing locks and refitting keys	$2 50	
10 new keys	3 75	
Picking four locks	1 25	
13 keys	4 87	
4 keys	1 50	
1 new lock	1 25	
1 post office key	50	
2 closet keys	1 00	
Repairing 3 desk locks	1 00	
2 door keys	1 00	
6 door keys, room 70	3 00	
4 desk keys	1 50	
Key for closet	50	
9 drawer keys	3 25	
Repairing 2 locks, room No. 30	50	
Repairing door lock, room No. 30	50	
4 door keys, room No. 73	2 00	
5 door keys, room No. 72	2 50	
6 door keys to Supreme Court	3 00	
3 drawer keys, room No. 72	1 12	
Repairing desk lock, and 1 key	1 50	
1 desk key	37	
Repairing lock, and 2 keys	1 00	
3 door keys	1 50	
2 drawer keys, post office	75	
1 drawer key, No. 72	37	
2 drawer keys	75	
2 door keys, 1 desk key, No 70	1 37	
1 desk key, and picking lock	75	
1 desk key	37	
		45 22

Bought of Union Ice Company:

January 31—1,400 lbs. ice, @ 1c	14 00

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 193—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.

Also: Assembly Bill No. 494—An Act to prevent deception in the manufacture and sale of butter and 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 the authors be permitted to withdraw the same.

Also: Assembly Bill No 110—An Act making an appropriation to pay for the support of the Southern California State Asylum for the Insane and Inebriates, for the forty-ninth and fiftieth fiscal years—have had the same under consideration, and respectfully

report the same back, and recommend that the author be permitted to withdraw the same, as this amount is provided for in the General Appropriation Bill.

Also: Senate Bill No. 53—An Act to prevent deception in the manufacture and sale of butter and 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.

GUY, Chairman.

Assembly Bills Nos. 193, 494, and 110 withdrawn by authors.

Senate Bill No. 53 ordered on Senate special file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 339—An Act to appropriate $4,750, 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. 567—An Act to amend an Act entitled "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," approved March 27, 1895.

Also: Assembly Bill No. 491—An Act to provide for the holding of a convention by the County Assessors of the State of California, at the State Capitol, and making an appropriation to defray the expenses thereof

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

GUY, Chairman.

Assembly Bill No. 339—An Act to appropriate $4,750, as compensation to the California Demokrat Publishing Company, for having published the constitutional amendments, during the year 1894.

Read first time, and placed on file for second reading.

Assembly Bill No. 567—An Act to amend an Act entitled "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," approved March 27, 1895.

Read first time, and placed on file for second reading.

Assembly Bill No. 491—An Act to provide for the holding of a convention by the County Assessors of the State of California, at the State Capitol, and making an appropriation to defray the expenses thereof.

Read first time, and placed on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 7—An Act providing for the election or appointment 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 such Judges

Also: Senate Bill No. 44—An Act to amend Section 1189 of the Civil Code, relating to acknowledgments of instruments.

Also: Senate Bill No. 189—An Act to amend Sections 566 and 641 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, in relation to receivers and referees.

Also: Senate Bill No. 373—An Act to amend Section 456 of the Civil Code, relating to railroads.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended, and the author of Assembly Bill No. 400 (166 on file) be allowed to withdraw it, as it is identical with Senate Bill No. 373, and the author of Assembly Bill No. 441 (277 on file) be allowed to withdraw it, as it is identical with Senate Bill No. 189.

Also: Senate Bill No. 129—An Act to amend Section 164 of the Civil Code of the State of California, relating to conveyances of real property by married women, and limiting the time in which to commence actions for recovery of community property by husbands.

Also: Senate Bill No. 538—An Act ceding to the United States of America jurisdiction over all lands within this State which have been or may hereafter be acquired by the United States for military purposes.

Also: Senate Bill No. 539—An Act relinquishing to the United States of America the title of this State to certain lands.

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

Also: Assembly Bill No 542—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 853 thereof, relating to absence of certain officers from the State.

Also: Assembly Bill No. 654—An Act to add a new title to Part IV of an Act entitled "An Act to establish a Political Code." approved March 12, 1872, to be known as Title V, regulating publications by State officers and commissioners, Common Councils, Boards of Trustees, or Supervisors in counties, cities, cities and counties, or towns.

Also: Assembly Bill No 655—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be numbered and known as Section 51, relating to libel.

Also. Assembly Bill No. 797—An Act to amend Section 1238 of the Penal Code, relating to appeals by the people.

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

WAYMIRE, Chairman.

Senate Bills Nos. 7, 44, 129, 189, 373, 538, and 539 ordered on Senate special file for second reading.

Assembly Bills Nos. 654, 655, and 797 placed on file for second reading.

Assembly Bill No. 542—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 853 thereof, relating to absence of certain officers from the State.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 732—An Act to amend an Act entitled "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."

Have had the same under consideration, and respectfully report the same back, and recommend that the committee substitute for the same do pass, and that the author of Assembly Bill No. 732 be permitted to withdraw the same.

WAYMIRE, Chairman.

Assembly Bill No. 732 withdrawn by author.

INTRODUCTION OF BILL.

By Committee on Judiciary: Assembly Bill No. 890 (Substitute for Assembly Bill No. 732)—An Act to amend 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 school with the Superior Court Judges of the counties.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 837—An Act to amend Section 176 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the support of husband by wife—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 682—An Act providing for the publication of legal or official advertising.

Also: Assembly Bill No. 838—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 79 of said Code, relating to the appointment and number of notaries public in the several counties of this State.

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

Also: Senate Bill No. 33—An Act for the certification of land titles and the simplification of the transfer of real estate

Also: Senate Bill No 14—An Act to validate the organization and incorporation of municipal corporations.

Also: Senate Bill No. 128—An Act to amend Section 1723 of the Code of Civil Procedure, relating to the disposition of life estates or homestead or community property on owner's death in certain cases

Also: Senate Bill No. 132—An Act to amend Section 1207 of the Civil Code, relating to transfers of real property, and fixing a time when defective certificates of acknowledgment shall become valid

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

WAYMIRE, Chairman.

Senate Bills Nos. 33, 14, 128, and 132 ordered on Senate special file.

Assembly Bills Nos. 682, 837, and 838 ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 284—An Act to amend Section 1770 of the Political Code, relative to the frequency of holding examinations of applicants for teachers' certificates.

Also: Assembly Bill No 703—An Act to amend Section 1577 of the Political Code of the State of California, relating to the time of forming new school districts, and changing the boundaries of school districts.

Have had the same under consideration, and respectfully report the same back, and recommend that their authors be permitted to withdraw the same.

ROBINSON, Chairman.

Assembly Bill No. 284—An Act to amend Section 1770 of the Political Code, relative to the frequency of holding examinations of applicants for teachers' certificates.

Read first time, and ordered on file for second reading.

Assembly Bill No. 703 withdrawn by author.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 662—An Act to regulate the letting, the erection, improvement, or repair of public school buildings—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No 688—An Act to amend Sections 354, 1487, 1488, 1489, 1490, 1491, 1492, 1497, 1501, 1503, and 1507, and to repeal Sections 1504 and 1506 of the Political Code, relating to State Normal Schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ROBINSON, Chairman.

Assembly Bills Nos. 662 and 688 ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 121—An Act to create and regulate, in any city or city and county in this State, public warehouses, other than warehouses for the storage of grain or wool, and to enforce warehouse liens—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

PRICE, Chairman.

Assembly Bill No. 121—An Act to create and regulate, in any city or city and county in this State, public warehouses, other than warehouses for the storage of grain or wool, and to enforce warehouse liens.

Read first time, and placed on file for second reading.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 15, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 15th day of February, passed Assembly Bill No. 7—An Act to compel all depositaries of money and commercial banks to publish a sworn statement of all unclaimed deposits

F. J. BRANDON, Secretary.

Assembly Bill No. 7 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 15, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 15th day of February amended and passed the following, as amended:

Assembly Bill No. 453—An Act to amend Sections 1 and 3 of an Act amendatory of an Act entitled "An Act for the better protection of the stockholders in corporations formed under the laws of the State of California for the purpose of carrying on and conducting the business of mining," approved March 13, 1874; April 23, 1880.

Assembly Bill No. 134—An Act to amend 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, relating to the office of Commissioner of Public Works.

Assembly Bill No. 182—An Act to authorize any city or city and county of this State to take its census.

Assembly Bill No. 21—An Act entitled an Act to amend Section 1 of an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895.

F. J. BRANDON, Secretary.

Assembly Bills Nos. 453, 134, 182, and 21 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 15, 1897

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 15th day of February passed the following:

Senate Bill No. 8—An Act to amend Section 1880 of the Code of Civil Procedure of the State of California, relating to witnesses.

Also: Senate Bill No 50—An Act defining the different grades of cheese, and for branding the same, manufactured in the State of California.

Also: Senate Bill No. 111—An Act to amend Section 1093 of the Penal Code, relating to order of trial.

Also: Senate Bill No. 126—An Act to amend Section 607 of the Code of Civil Procedure of the State of California, relating to order of procedure on trial.

Also: Senate Bill No. 161—An Act to amend Section 798 of the Political Code of the State of California, fixing the fees of notaries public.

Also: Committee Substitute for Senate Bill No 42—An Act to amend Section 224 of the Civil Code of California, relating to the adoption of orphan, half orphan, or abandoned children.

Also: Senate Bill No. 260—An Act to provide for the purchase of a portrait of ex-Governor John McDougall, by the State Board of Examiners, and to appropriate money therefor.

F. J. BRANDON, Secretary.

Senate Bill No. 8—An Act to amend Section 1880 of the Code of Civil Procedure of the State of California, relating to witnesses.

Read first time, and placed on file for second reading.

Senate Bill No. 50—An Act defining the different grades of cheese, and for branding the same, manufactured in the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 111—An Act to amend Section 1093 of the Penal Code, relating to order of trial.

Read first time, and placed on file for second reading.

Senate Bill No. 126—An Act to amend Section 607 of the Code of Civil Procedure of the State of California, relating to order of procedure on trial.

Read first time, and placed on file for second reading.

Senate Bill No. 161—An Act to amend Section 798 of the Political Code of the State of California, fixing the fees of notaries public.

Read first time, and placed on file for second reading.

Senate Bill No. 42—An Act to provide for the adoption of children maintained in any orphan asylum or orphans' home in this State.

Read first time, and placed on file for second reading.

Senate Bill No. 260—An Act to provide for the purchase of a portrait of ex-Governor John McDougall, by the State Board of Examiners, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 134—An Act to amend 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, relating to the office of Commissioner of Public Works.

CONSIDERATION OF SENATE AMENDMENTS.

The following Senate amendments to Assembly Bill No. 134 were submitted:

SENATE AMENDMENT NO. 1.

Strike out all after the word Section 2, on page 2, and insert in lieu the following: "This Act and the Act creating a Commissioner of Public Works, defining his duties and powers, prescribing his compensation, and making appropriation, approved March 24, 1893, relating to the office of Commissioner of Public Works, of which Act this is amendatory, shall cease, terminate, and be at an end on the 1st day of March, 1899, and the office of commissioner created hereunder, and under said Act approved March 24, 1893, and all officers and employés appointed by said commissioner shall cease, and their employment thereafter shall be discontinued, and the State of California shall in no manner whatever be liable for the compensation of the commissioner, officers or employés employed by him, or by said commissioner after said date"; also amend by inserting a new section to said bill, to be numbered Section 3, to read as follows:

SEC. 3. This Act shall take effect immediately.

SENATE AMENDMENT NO. 2.

Amend Section 1, printed bill, by striking from lines 23 and 24 the words "*provided*, that the salary of the present incumbent be not affected."

The question being, "Shall the Assembly concur in Senate amendments?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Allen, Anderson, Austin, Belshaw, Boone, Breiling, Canavan, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Ennis, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Jones, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McGrath, McLaurin, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Stansell, Strain, Toland, Treacy, Waymire, Wright, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 134 ordered to reëngrossment.

Assembly Bill No. 21—An Act entitled an Act to amend Section 1 of an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895.

The following Senate amendments were submitted:

SENATE AMENDMENT NO. 1.

Amend by striking out of Section 1, line 56, the word "majority," and inserting the following: "two thirds."

SENATE AMENDMENT NO. 2.

Amend by striking out of Section 1, line 69, the words "one fourth," and inserting the following: "one half."

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. Aldridge, Allen, Austin, Belshaw, Bettman, Boone, Breiling, Burnham Canavan, Cartwright, Chynoweth, Cross, Cutter, Dibble, Dolan, Dryden, Elliott, Ennis, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Jones, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, McCandlish, McLaurin, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Sims, Shanahan, Stansell, Strain, Toland, Treacy, Valentine, Waymire, Wright, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 182—An Act to authorize any city or city and county of this State to take its census.

The following Senate amendment was submitted:

Amend by prefixing to last section, on page 2, the following: "Sec. 4."

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. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Burnett, Burnham, Canavan, Cartwright, Chynoweth, Cross, Cutter, Dennery, Dolan, Dryden, Elliott, Emmons, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Malcolm, Melick, Mulcrevy, McCandlish, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Rubell, Sims, Shanahan, Stansell, Strain, Toland, Treacy, Valentine, Waymire, Wright, and Mr. Speaker—56.

NOES—None.

MOTION.

Mr. Cross moved that Assembly Bill No. 544 be recommitted to the Committee on Military Affairs, and retain its place on file.

So ordered.

INTRODUCTION OF BILLS.

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

By Mr. Jones: Assembly Bill No. 891—An Act to define and regulate fraternal beneficiary orders.

Read first time, and referred to Committee on Corporations.

By Mr. Chynoweth: Assembly Bill No. 892—An Act to amend an Act to provide a system of drainage for agricultural, swamp, and overflowed lands, approved March 3, 1881, by amending Section 9 thereof.

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

By Mr. Power, of San Francisco: Assembly Bill No. 893—An Act to amend an Act entitled "An Act to create a police relief, health, and life insurance fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

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

By Mr. Austin: Assembly Bill No. 894—An Act to regulate the granting of telephone and telegraph franchises by municipal corporations of the first, second, third, and fourth classes, within the State of California.

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

By Mr. Anderson: Assembly Bill No. 895—An Act to provide for the sale of excess of water, when owned by a municipality.

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

By Committee on Commissions, Retrenchment, and Public Expend-

itures: Assembly Bill No. 896—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 the same.

Read first time, and placed on file for second reading.

By Mr. Power, of Placer: Assembly Bill No. 897—An Act to authorize the Governor to employ an agent to collect certain claims due the State of California by the United States, and to provide compensation for such services.

Read first time, and referred to Committee on Judiciary.

By Mr. Burnett: Assembly Bill No. 898—An Act authorizing the Regents of the State University to make experiments in inoculating animals with disease to promote their extermination.

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

Also: Assembly Bill No. 899—An Act requiring owners, lessees, and possessors of land to destroy squirrels thereon, and providing for the expenses thereof in case of neglect.

Read first time, and referred to Committee on Agriculture.

By Mr. Robinson: Assembly Bill No. 900—An Act to amend Section 1636 of the Political Code, relating to school census marshals.

Read first time, and referred to Committee on Education.

By Mr. Mulcrevy: Assembly Bill No. 901—An Act providing for the relief of John J. Conlin, authorizing and empowering the Board of Supervisors of the City and County of San Francisco to order paid to said Conlin, his assigns or legal representatives, the amount of money which they may find to be due the said Conlin, for work performed and material furnished on the public street, sidewalk, and sewers of the City and County of San Francisco, as shown by the books kept by the Superintendent of Public Streets and Highways of said city and county, and directing the Auditor of said city and county to audit the demand of said Conlin for said amount as found by said Supervisors, and issue his warrant therefor, and the Treasurer of said city and county to pay said warrant.

Read first time, and referred to San Francisco Delegation.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1897

MR. SPEAKER: Your Committee on Ways and Means beg leave to submit the following report for the week ending Saturday, February 13th.

Bills received since last report:

February 8, Assembly Bill No. 108—For support Southern California Insane Asylum	$20,000 00
February 8, Assembly Bill No. 110—Same as 108, for forty-ninth and fiftieth fiscal years	204,400 00
February 8, Assembly Bill No. 175—Improvements at Whittier State School	36,600 00
February 8, Assembly Bill No 524—For fencing for Home of Feeble-Minded Children	1,500 00
February 8, Assembly Bill No. 527—Additional building for Feeble-Minded Children	50,000 00
February 8, Assembly Bill No. 639—For care of dependent and wayward classes	
February 8, Assembly Bill No. 706—Furnishing office, Clerk of Supreme Court	11,000 00
February 9, Assembly Bill No. 752—Regulating fees, Secretary of State's office	
February 10, Assembly Bill No. 531—Normal School at San Luis Obispo	100,000 00
February 10, Assembly Bill No. 513—Repairs to Capitol building	83,700 00
February 10, Assembly Bill No. 369—Improvement Normal School building at Chico	1,200 00

February 10, Assembly Bill No. 370—Additional building, Normal School at Chico	$4,000 00
February 10, Assembly Bill No. 371—For fencing Normal School building at Chico	6,000 00
February 10, Assembly Bill No. 613—Building for exhibit and study of the State Mineral Cabinet	20,000 00
February 10, Assembly Bill No. 187—Repairs, Normal School building at Los Angeles	5,000 00
February 10, Assembly Bill No. 318—Claim of John F. Kidder	724 00
February 10, Assembly Bill No. 383—Gymnasium building, Normal School at San José	10,000 00
February 10, Assembly Bill No. 325—Building for Home for Adult Blind	30,000 00
February 10, Assembly Bill No. 147—For State building in San Francisco	300,000 00
February 11, Assembly Bill No. 93—Enlarging laundry, Southern California Asylum	2,600 00
February 11, Assembly Bill No. 94—Dairy barn, Southern California Asylum	2,995 00
February 11, Assembly Bill No. 95—Dining-room and dormitory for Southern California Asylum	13,500 00
February 11, Assembly Bill No. 435—Superintendent's residence, Stockton Asylum	10,000 00
February 11, Assembly Bill No. 593—Support of orphans, etc	----------
February 11, Assembly Bill No 660—Furnishings for dining-room and dormitory, Southern California Asylum	2,400 00
February 11, Assembly Bill No. 713—For ward building, Southern California Asylum	70.000 00
February 11, Assembly Bill No. 52—Water supply to Mendocino Asylum	20,000 00
February 13, Assembly Bill No. 436—Water, light, etc., Stockton Asylum	10,000 00
February 13, Assembly Bill No. 839—Claim of Marion Pirkey	547 00
February 13, Assembly Bill No. 840—Contingent expenses of Assembly	20,000 00
February 13, Assembly Bill No. 692—Providing for a State Food Commissioner	30,000 00
February 13, Senate Bill No. 53—Preventing deception in the manufacture of butter and cheese	5,000 00
Total	$1,071,166 00
Bills reported back favorably:	
February 5, Assembly Bill No. 408—Claim of Bank Commissioners	$957 30
February 5, Assembly Bill No. 646—Claim of James V. Hicks	207 75
February 11, Assembly Bill No. 271—Claim of Major José Ramon Pico	8,111 15
February 11, Assembly Bill No. 483—Claim of Modoc County	2,363 48
February 11, Assembly Bill No. 52—Water supply to Mendocino Asylum	20,000 00
February 11, Assembly Bill No. 713—Ward building for Southern California Asylum	70,000 00
February 11, Assembly Bill No. 94—Dairy barn for Southern California Asylum	2,995 00
February 11, Assembly Bill No. 405—Improving Capitol building and grounds	6,000 00
February 11, Assembly Bill No. 269—Improvement Normal School building at Chico	1,200 00
February 11, Assembly Bill No. 370—Additional building, Normal School at Chico	4,000 00
February 11, Assembly Bill No. 371—For fencing Normal School building at Chico	6,000 00
February 11, Assembly Bill No 93—Enlarging laundry, Southern California Asylum	2,600 00
February 11, Assembly Bill No. 478—Deficiency in National Guard	135 03
February 13, Assembly Bill No. 840—Contingent expenses of Assembly	20,000 00
Total	$144,569 31
Author to withdraw:	
February 10, Assembly Bill No. 95—For erection of community dining-room and dormitory, Southern California Asylum.	$13,500 00
Referred to other committees:	
February 8, Assembly Bill No. 636—Providing for index of the Journals and Appendices of the Senate and Assembly	----------
February 9, Assembly Bill No. 752—Regulating fees, Secretary of State's office	----------
Amounts included in former reports, not affecting appropriations for the forty-ninth and fiftieth fiscal years, being reappropriations or transfers:	
Assembly Bill No 83—Appropriation for Debris Commissioner	$250,000 00
Senate Bill No 344—Transferring from Estates of Deceased Persons Fund to State School Land Fund	100,000 00
Senate Bill No. 345—Transferring from General Fund to Estates of Deceased Persons Fund	80,000 00
Senate Bill No. 16—For affiliated colleges, State University	125,000 00
Total	$555,000 00

Recapitulation.

Total appropriations referred to this committee to date	$3,706,990 92
Less amounts given above	555,000 00
	$3,151,990 92
Total appropriations reported favorably	$1,383,441 75
Less amount given above	555,000 00
	$828,441 75
Total appropriations reported unfavorably	$386,080 40
Amount of bills withdrawn	491,314 72
Total appropriations remaining with committee	1,456,154 05

Respectfully submitted.

GUY, Chairman

RESOLUTIONS.

By Mr. Kelly:

WHEREAS, It appears from the report of the Committee on Contested Elections that the expenses incurred by the contestant in the contest of John A. Hoey vs John W. Power amount to the sum of $586 60, which, added to the attorney fee, amounts to the total sum of $686 60; and

WHEREAS, The Committee on Contested Elections have allowed but $71 for expenses and $100 as attorney fee, being in all $516 60 less than the amount of expenses actually incurred by the contestant and his attorney; and

WHEREAS, The said contest was not in any wise a frivolous or groundless contest, but was in fact based upon meritorious grounds, and for the bringing of which there seemed good cause, therefore, be it

Resolved, That the sum of $515 60 be and the same is hereby appropriated out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrant upon the Contingent Fund, to the attorney for the contestant, for said sum.

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

So ordered.

By Mr. Kenyon:

Resolved That the Committee on Contested Elections be and they are hereby authorized to send for all ballots, poll-lists, and papers used in the Fifty-fifth Assembly District, at the late election.

Adopted.

PETITIONS.

Mr. Dennery presented the following petition, and asked that it be published in the Journal.

So ordered.

To the honorable the Legislature of the State of California:

We, the undersigned, manufacturers, owners, and users of steam boilers, in the State of California, have seen a bill recently introduced in the Legislature of the State, entitled an Act to provide for the protection of life and property against insecure steam boilers, and for the establishment of a system of inspection of steam boilers, and for licensing engineers and boiler attendants, and designated Assembly Bill No. 201, in which it is proposed to place all stationary boilers in the State under the supervision of a corps of inspectors whose powers are supreme, and who, by the wording of the bill, must be members of the Boilermakers' Union.

The requirements of the above bill would lay upon the already overburdened steam user an entirely unnecessary additional expense. We therefore petition your honorable body that in a time like this you will, so far as possible, relieve us from present burdens, rather than impose upon us additional and, in our opinions, unnecessary taxation, which must be borne by individuals and companies already burdened to an extent almost beyond the pecuniary point of endurance, and which would necessarily retard and jeopardize many of the permanent interests of our citizens and the State.

(Signed:) San Francisco Gas and Electric Co., by Wm. G. Barrett, Secretary; Fulton Engineering and Ship Building Works, by Jos. Spiers, President; Western Sugar Refining Co., Robt Oxnard; Dolber & Carson Lumber Co., by Wm. G Mugan, Secretary; The Pacific Rolling Mill Co., by P. Noble, General Manager; the California Door Co., W. E. Wilson, Vice-President; Union Iron Works, by H. T. Scott, President; San Fran-

cisco Bridge Co.; Vulcan Iron Works, by George M. Priskord, Secretary; Abner Doble; Keystone Boiler Works, per James Hamilton, President; Payne's Bolt Works, G. S. Payne, President; Marshutz & Cantrell; The Pelton Water Wheel Co, per B; A. J McNicoll & Co., elevator manufacturers; Whyte & De Rome; Wm. J. Brady, Eureka Boiler Works; Jos. Wagner Manufacturing Co., mill builders and furnishers, 101–103 Mission Street. A. E. Lacy, Secretary, California Saw Works, per J. C. Haughy; H. P. Gregory & Co., per Lester Henshaw, President, Henshaw, Bulkley & Belcher, by M. Bulkley; Joshua Hendy Machine Works; Crane & Co, S. H. Lally, Manager; Tatum & Bowen; W. T. Garratt & Co.; Clot & Meese; Dow Steam Pump Works, by Geo E. Dow; E. G. Denniston; C. S. Laumeister; The J Roylance Brass Works, per J. Roylance; Fulda Bros; James Young; H G. Layng Machine Works, H. G. Layng, President; J. W. Russell & Co., Wells, Russell & Co., Mechanics' Mills; Geo. W. Pennington & Sons; Parker Lacy & Co., F. O. Hannon, Vice-President.

Mr. Toland presented a petition from thirty citizens of Ventura County, relative to an Act to prohibit unnecessary work on the Sabbath.

Referred to Committee on Judiciary.

MOTION.

Mr. Cutter moved that all Assembly constitutional amendments be made special orders for Thursday morning, immediately after the reading of the Journal.

So ordered.

RECESS.

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

REASSEMBLED.

The Assembly reassembled at two o'clock and five minutes P. M.

Speaker Coombs in the chair.

Quorum present.

Mr. Leavitt asked unanimous consent to have Assembly Bill No. 104 taken up out of order and placed on urgency file.

So ordered.

At two o'clock and ten minutes P. M., the Speaker called Mr. Dibble to the chair.

Mr. Soward asked unanimous consent to call up Assembly Bill No. 453 for the purpose of considering the Senate amendments.

So ordered.

Assembly Bill No. 453—An Act to amend Sections 1 and 3 of an Act amendatory of an Act entitled an Act for the better protection of the stockholders in corporations formed under the laws of the State of California for the purpose of carrying on and conducting the business of mining, approved March 13, 1874, April 23, 1880.

The following Senate amendments were submitted:

Amend Section 1, in line 16, by inserting after the word "papers" the following: "Any stockholder may at reasonable hours have permission to examine such mining property, and he shall be entitled to be accompanied by an expert to examine such property, to take samples, and to make such other examination as he may deem necessary."

Also: Amend Section 2 by adding after the word "stockholders," in line 49, the following: "*provided*, that this section shall apply only to mining corporations whose stock is listed and offered for sale at public exchange, and shall not apply to mining corporations whose stock is not listed in the public exchange, and is not offered for public sale."

Also: Amend by renumbering Section 7 as Section 2, and inserting Section 3 before last line

Also: Amend as follows: Strike out the words "An Act amendatory of," and the words "approved April 23, 1880," in the title of said bill; also, in line 1 of Section 1, strike out the words "said Act," and insert in place thereof the words 'An Act for the better protection of the stockholders in corporations formed under the laws of the State of California for the purpose of carrying on and conducting the business of mining," approved March 30, 1874.

The question being, "Shall the Assembly concur in the Senate amendments?"

The roll was called, and the Assembly concurred in the amendments by the following vote:

AYES—Messrs Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Boone, Breiling, Bridgford, Burnham, Canavan, Cross, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Godfrey, Goff, Goodhue, Guy, Harris, Hudson, Jones, Kenyon, Lacy, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Robinson, Rubell, Sanford, Sims, Soward, Strain, Valentine, and Wright—47.

NOES—None.

Assembly Bill No. 453 ordered to reëngrossment.

SENATE SPECIAL FILE.

Senate Bill No. 1—An Act to amend an Act to enable school districts in cities of the fifth class to issue bonds, and to repeal an Act to enable cities of the fifth class to issue bonds for school purposes, 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. Aldridge, Anderson, Arnerich, Austin, Belshaw, Boone, Burnham, Canavan, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Goff, Goodhue, Guy, Houghton, Hudson, Jones, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Melick, Mulcrevy, McClellan, McGrath, McLaurin, North of Yolo, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Sanford, Sims, Shanahan, Stansell, Strain, Waymire, and Wright—45.

NOES—None.

Title read and approved.

Senate Bill No. 16—An Act to reappropriate $125,000 for the erection of buildings for the use of affiliated and other departments of the University of California, in 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. Aldridge, Allen, Anderson, Arnerich, Austin, Boone, Breiling, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Godfrey, Goff, Guy, Hill, Houghton, Jones, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Melick, Mulcrevy, McGrath, McLaurin, North of Yolo, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Sanford, Shanahan, Strain, Treacy, Waymire, and Wright—49.

NOES—None.

Title read and approved.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Passed on file.

Senate Bill No. 28—An Act to add a new section to the Political Code, to be known and designated as Section 1889½, relating to the authorization and employment of a specialist in sociological education in coun-

ties, and cities and counties, and providing for the duties and execution of the work of such specialist.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Arnerich, Austin, Boone, Breiling, Canavan, Cross, Cutter, Damon, Dibble, Dolan, Emmons, Foreman, Godfrey, Goff, Goodhue, Guy, Hill, Houghton, Jones, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McGrath, McLaurin, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Robinson, Sims, Shanahan, Treacy, Vosburg, Waymire, Wright, and Mr. Speaker—43

NOES—Messrs. Aldridge, Anderson, Belshaw, Bridgford, Burnett, Chynoweth Dryden, Elliott, Hudson, Keegan, Landsborough, McClellan, Sanford, and Strain—14.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Power, of Placer, was granted leave of absence until Wednesday, at two o'clock P. M.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 268—An Act to amend an Act entitled "An Act to amend Section 7 of the Civil Code of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Canavan, Cartwright, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Godfrey, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Lacy, Landsborough, Leavitt, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Yolo, Pohlmann, Power of San Francisco, Robinson, Rubell, Sanford, Sims, Treacy, Waymire, and Wright—49.

NOES—None.

Title read and approved.

Senate Bill No. 269—An Act to amend an Act entitled "An Act to amend Sections 10 and 134 of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Austin, Belshaw, Breiling, Bridgford, Canavan, Cartwright, Chynoweth, Damon, Dibble, Dryden, Elliott, Emmons, Godfrey, Goodhue, Guy, Hill, Hudson, Jones, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, McLaurin, North of Yolo, Pohlmann, Power of San Francisco, Robinson, Sanford, Sims, Shanahan, Treacy, Vosburg, Waymire, and Wright—46.

NOES—None.

Title read and approved.

Senate Bill No. 270—An Act to amend an Act entitled "An Act to amend Section 10 of the Political Code of the State of California, relating to legal holidays and non-judicial days," approved March 23, 1893, relating to legal holidays.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Boone, Breiling, Canavan, Cartwright, Chynoweth, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Godfrey, Goff, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Yolo, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Sanford, Shanahan, Treacy, Waymire, and Mr. Speaker—50.
NOES—None.

Title read and approved.

Senate Bill No. 145—An Act to amend Section 475 of the Code of Civil Procedure of the State of California, relating to errors and defects and reversals of judgments and orders.

Passed on file.

Senate Bill No. 369—An Act to amend Section 1213 of the Civil Code of the State of California, relative to the recording of conveyances.

Passed on file.

Senate Bill No. 178—An Act to add a new section to the Code of Civil Procedure of the State of California, relating to the voluntary dissolution of corporations, and to be known and numbered as Section 1234.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Anderson, Austin, Belshaw, Boone, Breiling, Bridgford, Canavan, Chynoweth, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Godfrey, Goff, Goodhue, Harris, Henry, Hill, Houghton, Hudson, Jones, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlmann, Price, Robinson, Ryan, Sanford, Sims, Shanahan, Vosburg, Waymire, Wright, and Mr. Speaker—52.
NOES—None.

Title read and approved.

Senate Bill No. 275—An Act to amend Section 388 of the Civil Code of the State of California, relative to the sale of a franchise to collect tolls.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Boone, Breiling, Bridgford, Canavan, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Godfrey, Goff, Goodhue, Guy, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy. McCandlish, McGrath, McLaurin, North of Yolo, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Strain, Waymire, Wright, and Mr. Speaker—53.
NOES—Mr. Cartwright—1.

Title read and approved.

Senate Bill No. 179—An Act to amend Section 581 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the dismissal of civil actions.

Refused third reading.

Senate Bill No. 115—An Act to amend Section 685 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.

Senate Bill No. 155—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.

Mr. Guy moved that the Assembly do now resolve itself into a Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Senate Bill No. 155.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Dibble in the chair.

Senate Bill No. 155 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Dibble in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 155—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—and now report the same back with amendments, and recommend that the same do pass as amended, and that it be referred to the Committee on Ways and Means.

DIBBLE, Chairman.

Adopted.

THIRD-READING FILE.

Assembly Bill No. 80—An Act to provide for the employment of citizens of the United States upon public works within this State.

Passed on file.

Assembly Bill No. 18—An Act to amend clause 37, Section 25, County Government Act.

Passed on file.

Assembly Bill No. 150—An Act to define the duties and liabilities of employment agents.

Passed on file.

Assembly Bill No. 260—An Act to validate the organization and incorporation of municipal corporations.

On motion of Mr. Bettman, Senate Bill No. 14 was substituted for Assembly Bill No. 260 on file.

Assembly Bill No. 464—An Act to amend Section 1490 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 465—An Act to amend Section 1491 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 466—An Act to amend the Code of Civil Procedure, by adding thereto a new section, to be numbered Section 1593, relating to the rights of executors and administrators to bid at foreclosure sales in certain cases.

Passed on file.

Assembly Bill No. 467—An Act to amend Section 1906 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 468—An Act to amend Section 1918 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 469—An Act to amend Section 1991 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 470—An Act to amend the Code of Civil Procedure by adding thereto two new sections, numbered, respectively, 2039 and 2040, relating to letters rogatory.

Passed on file.

Assembly Bill No. 119—An Act authorizing certain corporations to loan and invest money, and regulating the same.

Passed on file.

Assembly Bill No. 130—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891, relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance and corporations hereafter to be formed to conduct such insurance.

Passed on file.

Assembly Bill No. 123—An Act to amend Section 634 of the Political Code, in relation to insurance, approved April 1, 1878.

Passed on file.

Mr. Cutter moved that the Engrossing Committee be instructed to report back Assembly Bills Nos. 130 and 123 to-morrow morning.

So ordered.

Assembly Bill No. 277—An Act to amend Section 3766 of the Political Code of the State of California, relating to the publication of the delinquent tax list.

Passed on file.

Assembly Bill No. 341—An Act relating to rights of way across mining claims.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Bettman, Boone, Breiling, Bridgford, Burnett, Cartwright, Chynoweth, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Godfrey, Guy, Harris, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McClellan, North of Alameda, Pohlmann, Price, Rubell, Ryan, Sanford, Shanahan, Strain, Treacy, Valentine, Vosburg, Waymire, and Wright—51.

NOES—None.

Title read and approved.

Assembly Bill No. 545—An Act to amend Section 1209 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 257—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 186, relating to counties of the twenty-fourth class.

Passed on file.

Mr. Arnerich moved that the Assembly take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 16th day of February passed the following:

Senate Bill No. 105—An Act relating to pawnbrokers, companies and corporations doing business as such, prescribing their duties and obligations, and also prescribing penalties for the violation of any of the provisions of this Act.

Also: Senate Bill No. 290—An Act authorizing and empowering the Board of School Trustees of the City of San José, County of Santa Clara, State of California, to erect, construct and build, and maintain, at the expense of the said City of San José, a high school building on the north side of the State Normal School grounds at San José, between Fifth and Sixth streets, in said city.

Also: Senate Bill No 140—An Act providing for general primary elections 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, and for other purposes.

Also: Senate Bill No. 370—An Act to amend Section 3495 of the Political Code, by adding a provision relative to adverse occupations.

Also: Senate Bill No. 93—An Act to keep open natural channels, not navigable, which run through agricultural land, and are subject to overflow, to the injury of the land, and the duty of Boards of Supervisors in relation thereto.

Also: Senate Bill No. 100—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887, to provide the penalty therefor, and appropriating money to enforce the same

F. J. BRANDON, Secretary.

Senate Bill No. 105—An Act relating to pawnbrokers, companies and corporations doing business as such, prescribing their duties and obligations, and also prescribing penalties for the violation of any of the provisions of this Act.

Read first time, and placed on file for second reading.

Senate Bill No. 290—An Act authorizing and empowering the Board of School Trustees of the City of San José, County of Santa Clara, State of California, to erect, construct and build, and maintain, at the expense of the said City of San José, a high school building on the north side of the State Normal School grounds at San José, between Fifth and Sixth streets, in said city.

Read first time, and placed on file for second reading.

Senate Bill No. 140—An Act providing for general primary elections 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, and for other purposes.

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

Senate Bill No. 370—An Act to amend Section 3495 of the Political Code, by adding a provision relative to adverse occupations.

Read first time, and placed on file for second reading.

Senate Bill No. 93—An Act to keep open natural channels, not navigable, which run through agricultural land, and are subject to overflow, to the injury of the land, and the duty of Boards of Supervisors in relation thereto.

Read first time, and placed on file for second reading.

Senate Bill No. 100—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887, and to provide the penalty therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 181—An Act to amend Section 60, of Chapter CCXXXIV, of the Statutes of California, approved March 24, 1873, and entitled "An Act to establish a uniform system of county and township governments."

Read third time, and passed, to retain place on file.

Assembly Bill No. 256—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 60, relating to county officers and their term of office.

Passed on file.

Assembly Bill No. 495—An Act relative to the granting by municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Anderson, Arnerich, Austin, Bettman, Boone, Breiling, Bridgford, Canavan, Cartwright, Chynoweth, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Hill, Jones, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Sims, Shanahan, Treacy, Valentine, Waymire, Wright, and Mr. Speaker—52.

NOES—Messrs. Aldridge, Belshaw, and McCandlish—3.

Title read and approved.

Assembly Bill No. 113—An Act to repeal Section 415 of the Political Code of California, relative to the translation of the laws into Spanish, and their distribution.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Canavan, Chynoweth, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Henry, Hill, Houghton, Keegan, Kelly, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McGrath, North of Alameda, North of Yolo, Pohlmann, Price, Rubell, Sanford, Shanahan, Treacy, Valentine, Vosburg, and Wright—52.

NOES—Mr. Power of San Francisco—1

Title read and approved.

RECESS.

At four o'clock P. M., Mr. North moved that the Assembly take a recess until seven o'clock and thirty minutes P. M.

So ordered.

REASSEMBLED.

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

Quorum present.

SPECIAL URGENCY FILE.

Assembly Bill No. 209—An Act making an appropriation to pay the claim of R. J. Broughton, for transportation of prisoners.

Ordered on the unfinished business file, on motion of Mr. Guy.

Assembly Bill No. 332—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Anderson, Austin, Belshaw, Boone, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Foreman, Godfrey, Goff, Guy, Hill, Hudson, Jones, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, North of Alameda, North of Yolo,

Ryan, Sanford, Sims, Shanahan, Toland, Treacy, Vosburg, Waymire, Wright, and Mr. Speaker—45.
NOES—None.

Title read and approved.

Assembly Bill No. 374—An Act to authorize Boards of Health of municipalities and counties of this State to issue subpœnas for witnesses, and to compel attendance of witnesses before such boards.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Boone, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Foreman, Goff, Guy, Hill, Houghton, Jones, Keegan, Leavitt, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, North of Alameda, Robinson, Ryan, Sanford, Sims, Shanahan, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—44
NOES—Messrs. Gately, Godfrey, Goodhue, Lacy, Mulcrevy, Strain, and Treacy—7.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following have been correctly engrossed:

Assembly Joint Resolution No. 26—Relative to the import duty on jute bags.

Also: Assembly Bill No. 209—An Act making an appropriation to pay the claim of the estate of R. J. Broughton, for transportation of prisoners.

Also: Assembly Bill No. 130—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891, relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance, and corporations hereafter to be formed to conduct such insurance.

Also: Reëngrossed Assembly Bill No. 123—An Act to amend Section 634 of the Political Code, in relation to insurance, approved April 1, 1878.

AUSTIN, Chairman.

MOTION.

Mr. Dibble moved that the Assembly do now consider Assembly Bill No. 209, which was ordered placed on the unfinished-business file.

So ordered.

Assembly Bill No. 209—An Act making an appropriation to pay the claim of R. J. Broughton, for transportation of prisoners.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Austin, Belshaw, Bettman, Boone, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Jones, Keegan, Lacy, Leavitt, Lindenberger, Mahoney, Melick, Mulcrevy, McCandlish, North of Alameda, Robinson, Ryan, Sanford, Sims, Shanahan, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—48.
NOES—Mr. Anderson—1.

Title read and approved.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 375—An Act to confer further powers upon the Boards of Health of the municipalities and counties 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 Aldridge, Austin, Belshaw, Boone, Caminetti, Cartwright, Chynoweth, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Goff,

Guy, Harris, Hill, Jones, Keegan, Leavitt, Lindenberger, Malcolm, Melick, McCandlish, McClellan, North of Alameda, Robinson, Ryan, Sanford, Sims, Shanahan, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—42.

NOES—Messrs. Allen, Anderson, Canavan, Godfrey, Goodhue, Hudson, Lacy, Mulcrevy, and Strain—9.

Title read and approved.

Assembly Bill No. 291—An Act supplementary to an Act entitled "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," approved March 27, 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 Aldridge, Anderson, Austin, Belshaw, Bettman, Boone, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Goff, Goodhue, Guy, Harris, Hudson, Jones, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Pohlmann, Ryan, Sanford, Sims, Shanahan, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—49.

NOES—Mr Godfrey—1.

Title read and approved.

Assembly Bill No. 730—An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes.

Passed on file.

Assembly Bill No. 63—An Act to amend an Act approved March 26, 1893, entitled "An Act to create and administer a public school teachers' annuity and retirement fund in the several counties, and cities and counties, in the State."

Read second time.

The following amendments were submitted:

By Mr. Sanford:

Amend Section 8, line 28, of printed bill, after the word "years," by adding the following: "*and provided further*, that if any teacher shall be compelled, by reason of ill health, to retire from the profession of teaching before the expiration of thirty years of service in the public schools of this State, such retiring teacher, if a contributor to the annuity fund at the time of retirement, shall be entitled to as many thirtieths of the full annuity as he or she has had years of service, by paying into the annuity fund the contributions to that fund corresponding to those years of service rendered at a time when or in a place where it was impossible to make such contributions by reason of the non-existence of an annuity fund."

Adopted.

By the committee:

COMMITTEE AMENDMENT NO 1.

Amend Section 10 by striking out all that portion of printed bill following the word "thereof," in line 4, down to and including the word "warrant," in line 13, and inserting therefor the following:

SEC 10. Twelve dollars per school year of the salaries paid to all those subject to the burdens of this Act in each county, or consolidated city and county, shall be deducted from the warrants for salary, and paid by the Treasurer of the county, or consolidated city and county, to the Public School Teachers' Retirement Fund Commissioner of said county, or consolidated city and county, and it shall be the duty of the Secretary of the Board of Education in every incorporated city or town, or consolidated city and county, and the Secretary of the Board of Trustees of every school district outside of such city or town, or consolidated city and county, to note in each warrant the amount to be deducted by the Treasurer.

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend Section 12 by adding to line 21 of the printed bill, after the words "notice hereinbefore set forth," "*provided further*, that in all counties, or in consolidated cities and counties, when there is a less number of teachers than thirty, this Act shall be binding on all those who signify their intention of being bound thereby."

Adopted.

By Mr. Sanford:

Amend by striking out of Section 12, line 22, printed bill, the words "all counties or," and in Section 12, line 25, the words "the county or."

Adopted.

Ordered to engrossment, printer, and third reading.

RESOLUTION—(CASES OF URGENCY).

By Mr. Chynoweth:

Resolved, That Assembly Bills Nos. 200, 245, 246, 248, 361, 483, 536, 108, and 104, and each of them, present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that each of said bills be read the second and third times, and placed upon its passage

The question being on the adoption of the urgency resolution offered by Mr. Chynoweth.

The roll was called.

Pending the announcement of the result, Mr. Cutter moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Burnett, Canavan, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Hudson, Jones, Keegan, Kelly, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Yolo, Pohlmann, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker.

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

So ordered.

The roll was called, and the resolution offered by Mr. Chynoweth adopted by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Burnett, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goss, Goodhue, Guy, Harris, Hill, Hudson, Jones, Keegan, Kelly, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlmann, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr Speaker—62.

NOES—None.

CASES OF URGENCY.

Assembly Bill No. 200—An Act to amend Sections 925 and 928 of the Penal Code of the State of California, and add to a new section to said Code, to be known as Section 929, relating to grand juries, their powers and duties.

Read second time, and passed temporarily on file.

Assembly Bill No. 245—An Act making an appropriation to pay the claim of James H. Barry, publisher of the Star, for advertising the constitutional amendments.

Read second time, ordered considered engrossed, and to third reading.

Assembly Bill No. 246—An Act making an appropriation to pay the claim of James McClatchy & Co., publishers of the Bee, for advertising the constitutional amendments.

Read second time, ordered considered engrossed, and to third reading.

Assembly Bill No. 248—An Act making an appropriation to pay the claim of the Herald Publishing Company, for advertising the constitutional amendments.

Read second time, ordered considered engrossed, and to third reading.

Assembly Bill No. 361—An Act entitled an Act to amend the Political Code by adding a new section, requiring the State and subdivisions of the State to give preference to goods manufactured or produced in the State when contracting for or purchasing goods or other property.

Read second time, ordered considered engrossed, and to third reading.

Assembly Bill No. 483—An Act making an appropriation to pay the claim of Modoc County against the State of California.

Read second time, ordered considered engrossed, and to third reading.

Assembly Bill No. 536—An Act to authorize the Board of Fish Commissioners to dispose of the hatchery located on Battle Creek, in Tehama County, and to expend the proceeds of the same.

Read second time, ordered considered engrossed, and to third reading.

Assembly Bill No. 108—An Act making an appropriation to pay for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-eighth fiscal year.

Read second time, ordered considered engrossed, and to third reading.

Assembly Bill No. 104—An Act to amend an Act entitled "An Act to create and organize the University of California," approved March 23, 1868; approved March 28, 1872, amendatory of Section 25 thereof, relating to the construction of buildings.

Read second time, ordered considered engrossed, and to third reading.

Mr. Guy moved that the Assembly resolve itself into a Committee of the Whole, with Speaker Coombs in the chair, for the purpose of considering Assembly Bills Nos. 245, 246, 248, and 483.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bills Nos. 245, 246, 248, and 483 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 245—An Act making an appropriation to pay the claim of James H. Barry, publisher of the Star, for advertising the constitutional amendments.

Also: Assembly Bill No 246—An Act making an appropriation to pay the claims of James McClatchy & Co., publishers of the Bee, for advertising the constitutional amendments.

Also: Assembly Bill No. 248—An Act making an appropriation to pay the claim of the Herald Publishing Company, for advertising the constitutional amendments.

Also: Assembly Bill No 483—An Act making an appropriation to pay the claim of Modoc County against the State of California.

And now report the same back, and recommend that the same do pass.

COOMBS, Chairman.

Report adopted.

Assembly Bill No. 200—An Act to amend Sections 925 and 928 of the Penal Code of the State of California, and to add a new section to said Code, to be known as Section 929, relating to grand juries, their powers and duties.

The following amendment was submitted by Mr. Valentine:

Amend Section 1, line 13, by changing the word "or' after the word "cause" to "are," and by inserting the word "report" in line 14, page 2, after the word "to."

Adopted.

Ordered to printer, engrossment, and third reading.

Mr. Guy moved that the Assembly resolve itself into a Committee of the Whole, with Speaker Coombs in the chair, for the purpose of considering Assembly Bill No. 108.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 108 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 108—An Act making an appropriation to pay for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-eighth fiscal year—and now report the same back, and recommend that the same do pass.

COOMBS, Chairman.

Report adopted.

Assembly Bill No. 245—An Act making an appropriation to pay the claim of James H. Barry, publisher of the Star, for advertising the constitutional amendments.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Austin, Belshaw, Bettman, Burnett, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Hudson, Jones, Lacy, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, North of Alameda, North of Yolo, Pohlmann, Robinson, Rubell, Sanford, Shanahan, Toland, Valentine, Vosburg, and Waymire—47.

NOES—None.

Title read and approved.

At nine o'clock and twenty minutes P. M., the Speaker called Mr. North, of Alameda, to the chair.

NOTICE OF RECONSIDERATION.

Mr. Canavan gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 374 was finally passed.

Assembly Bill No. 246—An Act making an appropriation to pay the claim of James McClatchy & Co., publishers of the Bee, for advertising the constitutional amendments.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Austin, Belshaw, Bettman, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Hudson, Jones, Kelly, Kenyon, Leavitt, Mahoney, Melick, Mulcrevy, McCandlish, North of Alameda, North of Yolo, Pohlmann, Robinson, Rubell, Sanford, Shanahan, Strain, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Assembly Bill No. 248—An Act making an appropriation to pay the claim of the Herald Publishing Company, for advertising the constitutional amendments.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Austin, Belshaw, Bettman, Canavan, Cartwright, Chynoweth, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Hudson, Jones, Lacy, Leavitt, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Pohlmann, Robinson, Rubell, Sanford, Shanahan, Strain, Valentine, Vosburg, and Waymire—43.

NOES—None.

Title read and approved.

Assembly Bill No. 361—An Act entitled an Act to amend the Political Code by adding a new section requiring the State and subdivisions of the State to give preference to goods manufactured or produced in the State when contracting for or purchasing goods or other property.

Mr. Dibble moved that Assembly Bill No. 361 be passed to the unfinished business file.

So ordered.

Assembly Bill No. 483—An Act making an appropriation to pay the claim of Modoc County against 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 Allen, Anderson, Austin, Belshaw, Bettman, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Hudson, Jones, Kelly, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, North of Alameda, North of Yolo, Pohlmann, Sanford, Shanahan, Strain, Treacy, Valentine, Vosburg, and Waymire—49.

NOES—None.

Title read and approved.

Assembly Bill No. 536—An Act to authorize the Board of Fish Commissioners to dispose of the hatchery located on Battle Creek, in Tehama County, and to expend the proceeds 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. Allen, Anderson, Austin, Belshaw, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Goff, Goodhue, Guy, Harris, Hill, Hudson, Jones, Kenyon, Lacy, Leavitt, Lindenberger, Mead, Melick, McCandlish, McClellan, North of Alameda, North of Yolo, Robinson, Rubell, Shanahan, Strain, Valentine, Vosburg, and Waymire—41.

NOES—None.

Title read and approved.

Assembly Bill No. 108—An Act making an appropriation to pay for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-eighth 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. Allen, Anderson, Austin, Belshaw, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Goff, Goodhue, Guy, Harris, Hill, Hudson, Jones, Kenyon, Lacy, Leavitt, Lindenberger, Malcolm, Mead, Melick, McCandlish, McClellan, North of Alameda, North of Yolo, Pohlmann, Robinson, Rubell, Sanford, Shanahan, Strain, Valentine, Vosburg, and Waymire—44.

NOES—None

Title read and approved.

Mr. Leavitt moved that the notice of reconsideration given by Mr. Canavan upon the resolution relative to the appointment of A. W. Branch, as an Assistant Clerk, be postponed until to-morrow, and be made a special order for three o'clock and thirty minutes P. M.

So ordered.

Assembly Bill No. 104—An Act to amend an Act to amend an Act entitled "An Act to create and organize the University of California," approved March 23, 1868, approved March 28, 1872, amendatory of Section 25 thereof, relating to the construction of buildings.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Anderson, Austin, Camınetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Hudson, Jones, Leavitt, Lindenberger, Mahoney, Mead, Melick, McCandlish, McClellan, North of Alameda, North of Yolo, Pohlmann, Robinson, Rubell, Sanford, Shanahan, Strain, Valentine, and Waymire—42.

NOES—None.

Title read and approved.

ADJOURNMENT.

At ten o'clock P. M., on motion of Mr. Dibble, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 17, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnett, Burnham, Camınetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF THE JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Monday, February 15th, was approved as corrected.

SPECIAL ORDERS.

MR. SPEAKER: Your Committee on Contested Elections, to whom was re-referred the report of said committee as printed in Assembly Journal of February 12th, beg to report as follows:

Amount of claims presented in case of Hoey vs. Power, $4,030 90.

Amounts approved:		
Walter Rosemond, witness fees and mileage		$4 40
J. J. Flynn, witness fees and mileage		4 40
John Ludlow, witness fees and mileage		4 40
C. F. Adams, witness fees and mileage		4 40
M. Cusick, witness fees and mileage		4 40
J. S. Cummings, witness fees and mileage		4 40
John Hoar, witness fees and mileage		4 40
L. Noel, witness fees and mileage		4 40
J. P. Devereaux, witness fees and mileage		4 40
Wm. Colbert, witness fees and mileage		4 40
Edward McKenna, witness fees and mileage		4 40
Wm. Flynn, witness fees and mileage		4 40
T. Growney, witness fees and mileage		4 40
Edward Forster, attorney for J. W. Power		100 00
Paul McDonald, attorney for J. W. Power		100 00
John W. Power, contestee:		
Subpœnaing witnesses	$24 00	
Mileage to San Francisco	18 00	
Expenses, 6 days, at $2	12 00	
		54 00
A. J. Morganstern, attorney for J. A. Hoey:		
Attorney fees	$100 00	
Subpœnaing witnesses	30 00	
		130 00
B. C. Kenyon, Chairman:		
Seventeen witnesses, at $2	$34 00	
One witness, 2 days, at $2	4 00	
Mileage for above, at 20 cents	3 60	
Telegrams	1 05	
		42 65
Ernest J. Mott, stenographer		131 40
W. M. Hinton, Registrar		35 50
L. J. Welch, Deputy Registrar		30 50
Chas Gildea, Deputy Registrar		30 50
T. W. Measure, watchman		5 00
Guy Hinton, watchman (denied)		
Wells, Fargo & Co. express		7 80
B. C. Kenyon, mileage $18, expenses 6 days, at $2, $12		30 00
W. F. Price, mileage $18, expenses 6 days, at $2, $12		30 00
H. M Kelly, mileage $18, expenses 6 days, at $2, $12		30 00
H. McGrath, mileage $18, expenses 6 days, at $2, $12		30 00
F. E. Cook, clerk, mileage $18, expenses 6 days at $2, $12		30 00
Wm O. Banks, Sergeant-at-Arms, mileage to San Francisco	$18 00	
Assistant Sergeant-at-Arms, mileage to San Francisco	18 00	
Serving three subpœnas	3 00	
		39 00
A. A. Friedlander, Sergeant-at-Arms to committee:		
Mileage to San Francisco	$18 00	
Seven days, at $5 per diem	35 00	
Expenses	5 00	
		58 00
Total		$971 55

Amount of claims presented in the case of Bennett vs. Toland.

Peter Bennett	$917 30
Thomas O. Toland	282 70
Total	$1,200 00

Amounts approved:

Peter Bennett, Attorneys Orr and Poplin	75 00
Attorney A. A. Friedlander	25 00
Thomas O. Toland, attorney fees	200 00
Total	$300 00

Resolved, That the Controller be and he is hereby authorized to draw his warrants, and the Treasurer is instructed to pay the same, in favor of the parties named, and whose claims are approved in the above report, for the several amounts set opposite their respective names.

KENYON, Chairman.

Mr. Shanahan moved that the report be re-referred to Committee on Ways and Means.

Mr. Guy moved to amend by referring back to Committee on Contested Elections.

Mr. Shanahan accepted the amendment.

Motion as amended lost.

Mr. Hill moved to amend the report as follows:

By striking out the allowance of $100 made to the attorney of the contestant, and $30 for subpœnaing his witnesses; also, the amount of $42 65 for witness fees, mileage for said witnesses, and telegrams, all of which expense was incurred by the contestant.

Lost.

Mr. Price moved that the report of the Committee on Contested Elections be adopted.

So ordered.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Kelly:

WHEREAS, It appears from the report of the Committee on Contested Elections that the expenses incurred by the contestant in the contest of John A. Hoey vs John W. Power amount to the sum of $586 60, which, added to the attorney fee, amounts to the total sum of $686 60; and

WHEREAS, The Committee on Contested Elections have allowed but $71 for expenses and $100 as attorney fee, being in all $516 60 less than the amount of expenses actually incurred by the contestant and his attorney; and

WHEREAS, The said contest was not in anywise a frivolous or groundless contest, but was in fact based upon meritorious grounds, and for the bringing of which there seemed good cause; therefore, be it

Resolved, That the sum of $515 60 be and the same is hereby appropriated out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrant upon the Contingent Fund, payable to the attorney for the contestant, for said sum

By Mr. Power:

Resolved, That in the election contest case of Hoey vs. Power the following expenses, in addition to the committee's previous report, be allowed the contestee, John W. Power:

Witness fees, seven witnesses, three days, before Justice, at $2 per day	$42 00
Serving subpœnas, fourteen witnesses, at $1 50 each	21 00
Fees of Justices Groezinger and Barry, taking testimony	76 75
Reporter's per diem, three days, at $5	15 00
Stenographer's fees, original transcript, 615 folios of testimony	61 50
Copy of same to contestee	30 75
	$247 00

Therefore, be it resolved, That the Controller be instructed to draw his warrant upon the Contingent Fund of the Assembly for the above sum in favor of John W. Power, and the Treasurer is hereby authorized to pay the same.

McGRATH,
EMMONS,
KELLY,
Members Contested Elections Committee.

Resolutions referred to Committee on Contested Elections.

MOTION.

Mr. Dibble moved that the consideration of Assembly Bill No. 863, which was set for this hour, eleven o'clock A. M., be postponed until after the consideration of Assembly Bill No. 727, under consideration at this hour.

So ordered.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 727—An Act entitled an Act to form agricultural districts, to provide for formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal all Acts and parts of Acts in conflict with this Act.

Read second time.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Strike out of District No. 3 the words "and Tehama," and in place of the word "counties" let it read "county."

Adopted.

COMMITTEE AMENDMENT No. 2.

After the words "District No. 15" insert the following words: "*provided*, that the first fair held after the passage of this Act shall be held in Sierra County; the next fair in Plumas County, and thereafter they shall so alternate in holding such fairs."

Adopted.

COMMITTEE AMENDMENT No. 3.

On page 2, line 27, after the words "District Number Sixteen," insert the following words: "*provided*, that the first fair held after the passage of this Act shall be held in Lassen County; the next fair in Modoc County, and thereafter they shall so alternate in holding such fairs."

Lost.

COMMITTEE AMENDMENT No 4.

Strike out the words "and Tuolumne," in District No. 31, and insert the word "and" between "Merced" and "Mariposa"

Adopted.

COMMITTEE AMENDMENT No. 5.

Strike out the words "San Bernardino and Riverside," in District No. 29, and insert the word "Tuolumne"; and in place of "counties," let it read "County."

Adopted.

COMMITTEE AMENDMENT No. 6.

Strike out of District No. 36 the word "nineteen," and insert the words "twenty-two," and strike out the last word "six," and insert the word "seven."

Adopted.

COMMITTEE AMENDMENT No. 7.

Insert the following paragraph after District No. 35:
The counties of San Bernardino and Riverside shall constitute Agricultural District No. 36.

Adopted.

COMMITTEE AMENDMENT No 8.

Insert after the last district a new paragraph, as follows:
The county of Tehama shall constitute Agricultural District No. 38.

Adopted.

COMMITTEE AMENDMENT No. 9.

Insert after the word "with," in Section 12, the word "this."

Adopted.

By Mr. Emmons:

Amend by striking out of Section 1, line 44, the word "Kern."

Lost.

By Mr. Shanahan:

Amend by striking out of Section 1, lines 1 and 2 of printed bill.

Adopted.

By Mr. Burnham:

Amend by striking out of Section 1, line 59, printed bill, the words "and El Dorado," and inserting the following: "Sacramento."

Also: To amend his amendment by striking out the word "Sacramento."

Amendment to amendment lost.

The question being on the adoption of the amendment offered by Mr. Burnham.

The same was adopted.

By Mr. Caminetti:

Amend Section 1 of printed bill by adding the words "the County of El Dorado shall constitute Agricultural District No 39"

Adopted.

By Mr. Rubell:

Amend by striking out of Section 1, line 18, the words "and San Benito," and inserting the following: "The County of San Benito shall constitute Agricultural District No. 8."

Adopted.

By Mr. Hudson:

Amend by striking out of Section 1, line 18, the word "counties," and inserting the word "county"; also, strike out the words "and San Benito."

Adopted.

By Mr. Clarke:

Amend by striking out of Section 1, line 6, the words "counties of San Francisco," and inserting the following: "the counties of."

Lost.

By Mr. Bridgford:

Amend by striking out all after the enacting clause.

Lost.

By Mr. Melick:

Amend by striking out lines 16 and 17.

Pending discussion, Mr. Shanahan moved that Assembly Bill No. 727 be re-referred to the Committee on Agriculture, and they be requested to report the same back by next Tuesday, at eleven o'clock A. M., and it be made the special order for next Tuesday, at eleven o'clock A. M.

So ordered.

Assembly Bill No. 889—An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year, and repealing certain existing laws, so far as they may be inconsistent with this Act.

Mr. Leavitt moved that he be allowed to withdraw Assembly Bill No. 889.

So ordered.

Assembly Bill No. 863—An Act for the relief of the State Printing Office, and making an appropriation to pay the deficiency for the current fiscal year that may be found to exist in the appropriation for the support of said printing office for the said year at the date of the approval of this Act.

RESOLUTIONS—(CASES OF URGENCY).

By Mr. Dibble:

Resolved, That Assembly Bills Nos. 863 and 864, and each of them, present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill, and each of them, be read the second and third times, and placed upon their passage.

By Mr. Shanahan (substitute for Mr. Dibble's resolution):

Resolved, That Assembly Bill No. 865 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

By Mr. Cutter (substitute for the whole):

Resolved, That Assembly Bills Nos. 863, 864, and 865 presents cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

Adopted.

The question being on the adoption of the urgency resolution of Mr. Dibble, as amended by Mr. Cutter.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Dannon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Foreman, Gateley, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Stansell, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—69.

NOES—None.

Mr. Dibble moved that the hour of recess be extended thirty minutes.

So ordered.

Assembly Bill No. 864—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-eighth fiscal year.

Read second time.

Assembly Bill No. 865—An Act making an appropriation for legislative printing for the thirty-second session of the Legislature.

Read second time.

Mr. Dibble moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 863, 864, and 865.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bills Nos. 863, 864, and 865 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 863—An Act for the relief of the State Printing Office, and making an appro-

priation to pay the deficiency for the current fiscal year that may be found to exist in the appropriation for the support of said printing office for the said year at the date of the approval of this Act.

Also: Assembly Bill No 864—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-eighth fiscal year.

Also: Assembly Bill No. 865—An Act making an appropriation for legislative printing for the thirty-second session of the Legislature.

And now report the same back, and recommend that Assembly Bill No. 863 and Assembly Bill No. 864 do pass, without amendment, and that Assembly Bill No. 865 do not pass.

COOMBS, Chairman.

MOTION.

Mr. Dibble moved that the consideration of the special orders set for eleven o'clock A. M. be continued until two o'clock P. M.

So ordered.

RECESS.

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

REASSEMBLED.

The Assembly reassembled at two o'clock and twenty minutes P. M.

Speaker Coombs in the chair.

Quorum present.

MOTIONS.

Mr. Guy moved that the vote whereby the Assembly Journal of February 10th was approved, be reconsidered.

So ordered.

Mr. Guy moved that the Journal of February 10th be corrected as follows: On page 2, above sub-head "In Committee of the Whole," insert the words "So ordered."

The Journal of February 10th was then approved as corrected.

Mr. Dibble moved that the Senate special file be made special order for this evening.

So ordered.

Mr. Dibble moved that the report of the Committee of the Whole on Assembly Bills Nos. 863, 864, and 865 be adopted.

So ordered.

Assembly Bill No. 863—An Act for the relief of the State Printing Office, and making an appropriation to pay the deficiency for the current fiscal year that may be found to exist in the appropriation for the support of said printing office for the said year at the date of the approval of this Act.

The following amendment was submitted by Mr. Shanahan:

Amend by striking out Section 1 and inserting the following:

SECTION 1. The sum of forty thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the State treasury not otherwise appropriated, for legislative printing for the thirty-second session of the Legislature; *provided*, that so much of said appropriation as may be necessary and shall have first received the approval of the State Board of Examiners may be used to supply printing for State officers; *and provided further*, that so much of said appropriation as may be necessary, and shall have first received the approval of the State Board of Examiners, as provided in Section 5 of an Act entitled "An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years," approved March 28, 1895, may be used to meet the payment of any portion of a deficiency in the appropriation for the support of the State Printing Office for the forty-eighth fiscal year. The Controller is hereby authorized to draw his warrant for the amount herein made payable, and the Treasurer is directed to pay the same.

The question being on the adoption of the amendment offered by Mr. Shanahan to Assembly Bill No. 863.

The ayes and noes were demanded by Messrs. Shanahan, Caminetti, and Toland.

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

AYES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—32

NOES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Chynoweth, Clark, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, Power of Placer, Price, Robinson, Sims, Stansell, Strain, Valentine, Vosburg, Waymire, and Mr. Speaker—40.

Mr. Caminetti moved to amend by inserting after the word "laws," line 8, page 1, printed bill, the following:

Subject to Section 5 of an Act entitled "An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years."

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Goff, Cutter, and Price.

So ordered.

The question being on the adoption of the amendment offered by Mr. Caminetti.

The ayes and noes were demand by Messrs. Caminetti, Sanford, and Dryden.

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

AYES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—32.

NOES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Leavitt, Lindenberger, Melick, North of Alameda, North of Yolo, Power of Placer, Price, Robinson, Sims, Stansell, Strain, Valentine, Vosburg, Waymire, and Mr. Speaker—40.

Mr. Bridgford moved to amend by inserting the following:

At the end of Section 1, the following words: "to be used only for legislative printing for the thirty-second session, and the payment for printing already done during the session of the Legislature, and to do the necessary printing for State officers"

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Leavitt, Cutter, and Dibble.

So ordered.

The question being on the adoption of the amendment offered by Mr. Bridgford to Assembly Bill No. 863.

Lost.

Assembly Bill No. 863 ordered considered engrossed, and to third reading.

Assembly Bill No. 863—An Act for the relief of the State Printing Office, and making an appropriation to pay the deficiency for the current fiscal year that may be found to exist in the appropriation for the support of said printing office for the said year at the date of the approval 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. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Landsborough, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Robinson, Sims, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—45.

NOES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Houghton, Keegan, Lacy, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—28.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Caminetti gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 863 was finally passed.

Assembly Bill No. 864 ordered considered engrossed and to third reading.

Assembly Bill No. 864—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-eighth fiscal year.

The question being, "Shall Assembly Bill No. 864 be read a third time?"

Upon motion, the previous question was demanded by Messrs. Price, Arnerich, and Leavitt.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the third reading of Assembly Bill No. 864.

So ordered.

Assembly Bill No. 864 read third time.

The question being on the final passage of Assembly Bill No. 864.

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

AYES—Messrs. Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Sims, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—43

NOES—Messrs. Aldridge, Allen, Boone, Burnett, Cartwright, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—30.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Caminetti gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 864 was finally passed.

Assembly Bill No. 865—An Act making an appropriation for legislative printing for the thirty-second session of the Legislature.

Mr. Dibble moved that Assembly Bill No. 865 be indefinitely postponed.

The previous question was demanded by Messrs. Cutter, Goff, and Leavitt.

The previous question being on the indefinite postponement of Assembly Bill No. 865.

The ayes and noes were demanded by Messrs. Caminetti, Toland, and Houghton.

The roll was called, and the motion of Mr. Dibble to indefinitely postpone adopted by the following vote:

AYES—Messrs Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Sims, Shanahan, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr Speaker—45.

NOES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McLaurin, Power of San Francisco, Ryan, Sanford, Toland, and Treacy—29.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on next legislative day he would move to reconsider the vote whereby the motion of Mr. Dibble to indefinitely postpone the consideration of Assembly Bill No. 865 was adopted.

ASSEMBLY CONCURRENT RESOLUTION No. 6.

Appointing Senators Dickinson, Gillette, and Seawell, members of the Senate, and Messrs. Price, Dennery, and McLaurin, members of the Assembly, a joint committee of the Senate and Assembly to examine into and report upon the charges made by the Governor, relative to the management and conduct of the State Printer's office, in his message to the Assembly of February 9, 1897, setting forth his reasons for vetoing Assembly Bill No. 263, and to examine into and report upon the management and conduct generally by the Superintendent of State Printing of the business and affairs of the State Printing Office, and to examine into and report upon the necessity for an appropriation for the support of and to carry on the business of the State Printing Office for the remainder of the forty-eighth fiscal year, and the probable amount required for such purpose.

Resolved by the Assembly of the State of California, the Senate concurring, That Senators Dickinson, Gillette, and Seawell, members of the Senate, and Messrs. Price, Dennery, and McLaurin, members of the Assembly, be and they are hereby appointed as a joint committee of the Senate and Assembly to examine into and report upon all matters connected with or in any way pertaining to the charges and statements made by the Governor of this State, relative to the management and conduct of the business and affairs of the State Printing Office, in his veto message to the Assembly of February 9, 1897, accompanying Assembly Bill No. 263, entitled "An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year"; and to examine into and report upon all matters and things in any way connected with or pertaining to the management and conduct generally by the Superintendent of State Printing of the business and affairs of the State Printing Office, and to examine into and report upon the necessity for an appropriation for the support of and to carry on the business of the State Printing Office for the remainder of the forty-eighth fiscal year, and the probable amount required for such purpose, and to further report such legislative measures as may be deemed necessary to insure a strictly economical administration of the affairs of said State Printing Office.

Resolved, That said joint committee be and it hereby is authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and things hereinabove enumerated, and to that end to employ all necessary clerical and expert assistance, and that said joint committee be and it is hereby authorized and empowered to send for persons and papers, and to take all necessary means to procure the attendance of witnesses and testimony; and the members of said joint committee are and each of them is hereby authorized to administer oaths; and that all the provisions of Article VIII, of Chapter II, Title I, Part III, of the Political Code of this State, relative to the "attendance and examination of witnesses before the Legislature and committees thereof," shall apply to the joint committee appointed under this resolution, and that the Sergeant-at-Arms of either the Senate or the Assembly is hereby authorized and directed to serve any and all subpœnas and orders, or other process that may be issued by the Chairman of the said joint committee, when directed to do so by the said Chairman.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

LEAVITT, Chairman.

The following amendments were submitted:

Mr. Dibble moved to amend by striking out the name of Mr. McLaurin, wherever the same occurs, and inserting the name of Mr. A. Caminetti.

Adopted.

Mr. Dibble moved to amend by adding to Section 1 the following:

There shall be two printing experts and two accountants employed by the said joint committee or commission, one printing expert to be named by the majority of said committee and one by the minority, and one accountant by the majority and one by the minority.

Adopted.

PETITIONS.

By Mr. Chynoweth: Petition from fifty-seven citizens of Orange County, relative to a Sabbath law.

Referred to Committee on Public Morals.

By Mr. Houghton: Petition from the citizens of Tehama County, relative to woman suffrage.

Referred to Committee on Election Laws.

By Mr. Elliott: Petition from sixty-seven citizens of Merced County, relative to a Sunday law.

Referred to Committee on Public Morals.

By Mr. Goff: Petition from the citizens of San Bernardino, relative to a Sabbath law.

Referred to Committee on Public Morals.

By Mr. Boone: Petition from citizens of Tulare County, relative to road-building.

Referred to Committee on Roads and Highways.

By Mr. Vosburg: Petition from citizens of Los Angeles County, relative to saloon licenses.

Referred to Committee on County and Township Governments.

REPORT OF STANDING COMMITTEE.

ON PUBLIC PRINTING—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR SPEAKER: The undersigned members of your Committee on Public Printing, to whom was referred Assembly Concurrent Resolution No 6, respectfully report the same back, and recommend that the following substitute be adopted:

WHEREAS, The Superintendent of State Printing has spent for the support of the State Printing Office for the last six fiscal years the sum of $854,096 85, as follows:

Forty-second fiscal year	$158,622 20
Forty-third fiscal year	99,634 78
Forty-fourth fiscal year	150,349 48
Forty-fifth fiscal year	137,119 57
Forty-sixth fiscal year	162,370 13
Forty-seventh fiscal year	146,000 59
Total	$854,096 85

AND WHEREAS, It appears from the reports of the Superintendent of State Printing that the sum of $139,138 66 is not charged against the departments or the Legislature, and the reports do not show for whom the work was done, viz.:

Forty-second fiscal year	$22,207 55
Forty-fifth fiscal year	65,637 27
Forty-seventh fiscal year	51,293 84
Total	$139,138 66

AND WHEREAS, During all of these years the books and accounts of the Superintendent of State Printing have never been experted, and in justice to said Superintendent and to the end that the whole matter be fully and fairly investigated, it is proper that said books and accounts be experted; and

WHEREAS, On the 11th day of February, 1897, the Committee on Commissions, Retrenchment, and Public Expenditures of the Assembly, in a report submitted after an investigation made in relation to the accounts of said Superintendent of Public Printing, says:

"From the testimony of witnesses, and as a result of a partial experting made of the books and accounts kept in the office of the State Printer, your committee finds an apparent irregularity. From the evidence at hand, and because of the limited time at its command, your committee cannot give an exact reason for the existence of the apparent irregularity", and

WHEREAS, Said committee further finds that the so-called "Legislative Printing Account" is loosely conducted, and

WHEREAS, Said committee, in said report, recommend that "one or more expert accountants be provided for, to make such expert investigation of the books of the State Printer as may be necessary to definitely locate and account for the apparent irregularities and inconsistencies as shown on the face of the accounts of the State Printing Office for the forty-seventh and forty-eighth fiscal years"; therefore, be it

Resolved by the Assembly, the Senate concurring, That a full and complete investigation of the books and accounts for the forty-second, forty-third, forty-fourth, forty-fifth, forty-sixth, forty-seventh, and forty-eighth fiscal years be made by the State Board of Examiners, and to that end they are hereby empowered and directed to employ competent expert accountants and printing experts, and to afford the Superintendent of State Printing every opportunity to explain the accounts for these fiscal years; and be it further

Resolved, That when the investigation is completed said board shall report the result of the same to the Legislature.

MULCREVY.
MEAD.
McGRATH.
TOLAND.

Mr. Mead moved the adoption of the minority report as a substitute for the majority report.

The previous question was demanded by Messrs. North, Cutter, and Caminetti.

So ordered.

The question being, "Shall the main question be now put?"

The ayes and noes were demanded by Messrs. Mead, Caminetti, and Shanahan.

The roll was called, and the motion of Mr. Mead lost by the following vote:

AYES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Emmons, Gately, Godfrey, Houghton, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, and Toland—29.

NOES—Messrs Anderson, Arnerich, Austin, Bettman, Breiling, Burnham, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, Pohlmann, Power of Placer, Price, Robinson, Sims, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—41.

The question being on the adoption of Assembly Concurrent Resolution No. 6, as amended.

The same was adopted.

Mr. Leavitt called up for consideration the following resolution, notice of which was given on yesterday:

Resolved, That A. W Branch be and he is hereby appointed Assistant Clerk of the Assembly, whose duties shall be to attend the making of the Assembly General File. This appointment shall take effect from January 11, 1897, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrants in accordance herewith.

Mr. Leavitt moved that the vote by which the resolution was lost be reconsidered.

So ordered.

Mr. Leavitt moved that the resolution be adopted.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1897.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 515—An Act to authorize the State Board of Prison Directors to perform such duties and erect such structures as may be necessary to accommodate all prisoners committed to serve sentences in the State Prison at San Quentin, to transfer all convicts confined therein to 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.

CANAVAN, Chairman.

Assembly Bill No. 515 referred to Committee on Ways and Means.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 552—An Act to amend Section 485 of the Civil Code of the State of California, relating to fencing the right of way of railroad corporations, and the liability for failing so to do—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

CUTTER, Chairman.

Assembly Bill No. 552—An Act to amend Section 485 of the Civil Code of the State of California, relating to fencing the right of way of railroad corporations, and the liability for failing so to do.

Read first time, and placed on file for second reading.

At three o'clock and thirty minutes P. M., the Speaker called Mr. Toland to the chair.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1897.

MR SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 722—An Act to amend Section 2209 of the Civil Code, in relation to damages awarded when messages, including telegraphic messages, are refused or postponed.

Also: Assembly Bill No 723—An Act to amend Section 541 of the Civil Code, relating to telegraph corporations.

Also: Assembly Bill No. 724—An Act to amend Section 2168 of the Civil Code, relating to common carriers.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

CUTTER, Chairman.

Assembly Bills Nos. 722, 723, and 724 ordered on file for second reading.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 691—An Act to establish a State Lunacy Commission, to provide a uniform government and management of the State hospitals for the insane, and to provide for the care, custody, and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties.

Also: Assembly Bill No. 349—An Act to provide for the purchase of land, the purchase of machinery, the construction of a dam, and other improvements by the trustees of the Napa State Asylum for the Insane, and appropriating money therefor.

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

MALCOLM, Chairman.

Assembly Bill No. 691 ordered on file for second reading.

Assembly Bill No. 349 referred to Committee on Ways and Means.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 673—An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employés thereof, and to provide for the compensation of said officers and employés, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year—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 673 withdraw the same.

CLARKE, Chairman.

Assembly Bill No. 673 withdrawn by author.

By Committee on Roads and Highways: Assembly Bill No. 902 (Substitute for Assembly Bill No. 673)—An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employés thereof, and to provide for the compensation of said officers and employés, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year.

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

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 650—An Act to provide for the construction of State highways in the several counties of the State, and levy a permanent rate of taxation therefor—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. 650 withdraw the same.

CLARKE, Chairman.

Assembly Bill No. 650 withdrawn by author.

By Committee on Roads and Highways: Assembly Bill No. 903 (Substitute for Assembly Bill No. 650)—An Act to provide for the location, construction, and maintenance of State highways in the several counties of the State, and to define the duties of certain State officers and county and district officials in connection therewith.

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

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No 674—An Act to classify the roads in the State of California, and to define each class—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. 674 withdraw the same.

CLARKE, Chairman.

Assembly Bill No. 674 withdrawn by author.

By Committee on Roads and Highways: Assembly Bill No. 904 (Substitute for Assembly Bill No. 674)—An Act to provide for the classification of the roads in the State of California.

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

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 672—An Act to provide for the location, construction, and maintenance of highways owned or to be acquired by the State of California, by the levy of a rate of taxation, and the creation of a fund therefor—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 be allowed to withdraw Assembly Bill No 672.

CLARKE, Chairman.

Assembly Bill No. 672 withdrawn by author.

By Committee on Roads and Highways—Assembly Bill No. 905 (Substitute for Assembly Bill No. 672)—An Act to provide for the location, construction, and maintenance of highways owned or to be acquired by the State of California, by the levy of a rate of taxation, and the creation of a fund therefor.

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

Mr. Clarke moved that Assembly Bills Nos. 902, 903, 904, and 905 be made special order for Friday at two o'clock P. M.

So ordered.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 41—An Act to amend Section 1469 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 $1,500—and presented the same to the Governor on this day, at ten o'clock and forty-five minutes A. M.

FONTANA, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No 518—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved May 24, 1893, by amending Section 87 thereof, relating to the custody of public moneys by the Treasurer.

Also. Assembly Bill No 511—An Act to amend Section 4046 of the Political Code, relating to the powers and duties of Boards of Supervisors.

Also: Assembly Bill No. 589—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 188, relating to county officers, their appointment, duties, and compensation.

Also: Assembly Bill No. 762—An Act to amend Section 10 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, and as amended by an Act approved January 25, 1895, which said Section 10 relates to and defines the basis of computation for classifying the several counties of the State, according to population, and classifying the said counties; and to amend Section 162 thereof, relating to the classification of counties, and to insert a new section therein, to be numbered 173½, creating a class of counties of the eleventh and one-half class, relating to the government of counties.

Also: Assembly Bill No. 774—An Act to amend Section 70 of "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 authors be permitted to withdraw the same, as they pertain to matters already incorporated in the County Government Bill.

Also: Assembly Bill No 835—An Act authorizing and directing District Attorneys to bring suits to abate public nuisances—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No 826—An Act empowering peace officers to receive rewards for the arrest, conviction, or apprehension of persons accused of crime—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 805—An Act exempting honorably discharged soldiers, sailors, and marines of the United States, who are disabled, from payment of license taxes for hawking, peddling, and vending, and providing for the issuance to them of certificates declaring such discharge and such disability, in the several counties of this State—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary, and, if constitutional, that it do pass.

BURNHAM, Chairman.

Assembly Bills Nos. 511, 589, 762, and 774 withdrawn by authors.

Assembly Bills Nos. 835 and 826 placed on file for second reading.

Assembly Bill No. 805 referred to Committee on Judiciary.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1897.

MR SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 720—An Act to amend Section 1639 of Article VIII of the school law of California, defining and fixing the compensation of district census marshals.

Also: Assembly Bill No 721—An Act to add a new section to the school law of California, to be designated Section 1652, of Article IX, defining the duties of clerks of school districts

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

ROBINSON, Chairman.

Assembly Bills Nos. 720 and 721 placed on file for second reading.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 730—An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes

Also: Reengrossed Assembly Bill No 80—An Act to provide for the employment of citizens of the United States upon public works within this State.

AUSTIN, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No 820—An Act to amend Section 1446 of the Penal Code of the State of California, relating to fine and imprisonment.

Also: Assembly Bill No 866—An Act to add a new section to the Penal Code, to be known as Section 1424, relative to the manner of applying for pardons.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Judiciary.

Also. Assembly Bill No. 756—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 218 thereof, relating to train-wrecking and the punishment thereof.

Also: Assembly Bill No. 806—An Act to amend Section 772 of an Act entitled "An Act to establish a Penal Code," approved March 11, 1872.

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

H. T. POWER, Chairman.

Assembly Bills Nos. 820 and 866 re-referred to Committee on Judiciary.
Assembly Bills Nos. 756 and 806 placed on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1897.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 802—An Act entitled "An Act to amend Section 3094 of the Political Code," relating to the surrender of dead bodies of persons to be buried at the public expense, to physicians and surgeons, for anatomical purposes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KEABLES, Chairman

Assembly Bill No. 802 placed on file for second reading.
Mr. Cross moved that the time for recess be extended fifteen minutes.
So ordered.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Concurrent Resolution No. 1—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.

Also: Assembly Constitutional Amendment No. 19—To propose to the people of the State of California an amendment to Section 12 of Article XIII of the Constitution of the State of California, by providing that persons voting at a general election shall be exempt from the payment of poll tax.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted as amended.

Also: Assembly Constitutional Amendment No. 26—To propose to the people of the State of California an amendment to Section 1 of Article II of the Constitution, in relation to the right of suffrage

Also: Assembly Constitutional Amendment No. 32—Proposing an amendment to Article 1, relating to declaration of rights.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

SIMS, Chairman.

ON BANKS AND BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred Assembly Bill No. 744—An Act to amend Section 11 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 as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Also: Assembly Bill No 649—An Act to provide that county and municipal Treasurers may deposit county and municipal funds in their charge in savings or commercial banks which have been approved by the Bank Commissioners.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

HILL, Chairman.

Assembly Bills Nos. 744 and 649 placed on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1897.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No 562—An Act to authorize the State Board of Harbor Commissioners to establish and maintain a free public market upon the waterfront of San Francisco, and providing for the expenses and regulations thereof.

Also: Assembly Bill No. 619—An Act to authorize and direct the State Board of Harbor Commissioners to establish and maintain a free public market upon the waterfront of San Francisco, and providing for the expenses and regulations thereof

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass, and that their authors be permitted to withdraw the same.

POHLMANN, Chairman.

Assembly Bill No. 562—An Act to authorize the State Board of Harbor Commissioners to establish and maintain a free public market upon the waterfront of San Francisco, and providing for the expenses and regulations thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 619 placed on file for second reading.

ASSEMBLY CONCURRENT RESOLUTION No. 7.

(Introduced by the Committee on State Prisons and Reformatory Institutions,)

Relating to the appointment of a non-partisan joint committee for examining sites for the foundation of a new State prison

WHEREAS, The Governor of the State in his biennial message has recommended the consolidation of the two State prisons;

Resolved by the Assembly, the Senate concurring, That a non-partisan joint committee of five to consist of three members, to be of different political parties, of the Assembly Committee on State Prisons and Reformatory Institutions, to be elected by said Assembly committee; and two members, to be of different political parties, of the Senate Committee on State Prisons and Prison Buildings, to be elected by said Senate committee, be constituted and empowered, authorized, and instructed to proceed, after the adjourn-

ment of the Legislature, and whose duty it shall be to select a suitable site upon which to locate a new State prison in any one of the counties of San Diego, Riverside, San Bernardino, Orange, Los Angeles, Ventura, Santa Barbara, San Luis Obispo, Tulare, Fresno, Kings, Kern, Inyo, or Santa Clara, and to report its conclusions to the Legislature at the thirty-third session thereof;

Resolved, That the sum of five thousand dollars be and it is hereby appropriated, one half to be paid out of the appropriation for the contingent expenses of the Assembly, and one half from out of the appropriation for the contingent expenses of the Senate, which sum shall be disbursed subject to the approval of the President of the Senate and the Speaker of the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 191—An Act to amend Section 3633 of the Political Code of the State of California, relating to the assessment of property of persons neglecting or refusing to make and give to the Assessor a statement of his property—herewith return the same, by order of the House.

WAYMIRE, Chairman.

Assembly Bill No. 191 withdrawn by author.

RESOLUTION—(OUT OF ORDER).

By Mr. Keables:

Resolved, That the Chairman and three members of the Committee on Public Health and Quarantine be allowed to visit San Francisco to consider bills before them, and that they be excused from Friday until Tuesday next, and that they be allowed their mileage only.

Adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON PUBLIC WORKS, STATE CAPITOL, AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Assembly Bill No. 448—An Act to provide for the construction of a free wagon road or highway from a point on Bear Creek, in Mariposa County, to the Yosemite Valley, and appropriating money therefor.

Also: Assembly Joint Resolution No. 16—Relating to the purchase of private holdings within the limits of the Yosemite National Park.

Have had the same under consideration, and respectfully report the same back, and recommend the passage of the committee substitute herein reported, and that the author of Assembly Bill No. 448 and Assembly Joint Resolution No 16 be allowed to withdraw the same.

ENNIS, Chairman.

Assembly Bill No. 448 and Assembly Joint Resolution No. 16 withdrawn by author.

Mr. Cutter moved that the hour of recess be extended thirty minutes.

So ordered.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1897.

MR SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 357—An Act for the protection and propagation of shrimps—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STRAIN, Chairman.

Assembly Bill No. 357—An Act for the protection and propagation of shrimps.

Read first time, and placed on file for second reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1897.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 5—Relative to the forfeiting the charters of certain railroad corporations—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Municipal Corporations.

GOODHUE, Chairman.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 16, 1897

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 286, 253, 41, 70, and 416

JAMES H. BUDD, Governor.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 17, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 16th day of February passed the following:

Senate Bill No. 108—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Senate Bill No. 150—An Act to amend Section 1323 of the Code of Civil Procedure of the State of California, relating to the probate of foreign wills.

F. J. BRANDON, Secretary.

Senate Bills Nos. 108 and 150 ordered on Senate special file.

Also:

SENATE CHAMBER, SACRAMENTO, February 17, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 16th day of February amended and passed the following as amended:

Assembly Bill No. 738—An Act to amend Sections 237, 245, 246, and 268 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.

Assembly Bill No. 738—An Act to amend Sections 237, 245, 246, and 268 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

The following Senate amendments were submitted:

SENATE AMENDMENT No. 1.

Amend by inserting in Section 1, line 14, after the word "completed," the words "such officers shall serve only until said permanent organization is completed."

SENATE AMENDMENT No. 2.

Amend by striking out of Section 2, lines 19 and 20, the words "four porters (one of whom shall have charge of the cloakroom), two watchmen."

SENATE AMENDMENT No. 3.

Amend by inserting in Section 3, line 7, after the word "Sergeant-at-Arms," the words "one Assistant Sergeant-at-Arms."

SENATE AMENDMENT No. 4.

Amend by striking out of Section 3, lines 18 and 19, the words "four porters (one of whom shall have charge of the cloakroom), two watchmen."

SENATE AMENDMENT No. 5.

Amend by striking out of Section 4, line 16, the words "porters, watchmen."

SENATE AMENDMENT No. 6.

Amend by striking out of Section 4, line 32, the words "porters, watchmen."

The question being, "Shall the Assembly concur in the Senate amendments?"

The roll was called, and the Assembly concurred in the amendments by the following vote:

AYES—Messrs. Allen, Anderson, Arnerich, Belshaw, Bettman, Boone, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Ennis, Godfrey, Goff, Goodhue, Guy, Henry, Hudson, Jones, Kelly, Landsborough, Leavitt, Lindenberger, Mahoney, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Yolo, Power of Placer, Price, Robinson, Rubell, Sanford, Sims, Stansell, Strain, Toland, Valentine, Vosburg, Wright, and Mr. Speaker—50

NOES—None.

MOTION.

Mr. Emmons moved that when the House takes a recess it be until seven o'clock and thirty minutes P. M.

So ordered.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, February 17, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 17th day of February passed the following:

Senate Bill No. 73—An Act to provide for a bond for the protection of laborers upon public work.

Also: Senate Bill No 77—An Act authorizing certain corporations to loan and invest money, and regulating the same.

Also: Senate Bill No. 332—An Act to amend Section 1881 of the Code of Civil Procedure, to provide that persons in certain relations to parties are prohibited from testifying

Also: Senate Bill No 198—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.

Also: Senate Bill No. 285—An Act to add a new section to the Civil Code of the State of California, to be known and numbered as Section 79½, relating to the procuring of licenses for marriage, the solemnization of marriages, and the recording of the declaration of marriage.

Also: Senate Bill No 141—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 73—An Act to provide for a bond for the protection of laborers upon public work.

Read first time, and ordered on Senate special file.

Senate Bill No. 77—An Act authorizing certain corporations to loan and invest money, and regulating the same.

Read first time, and ordered on Senate special file.

Senate Bill No. 332—An Act to amend Section 1881 of the Code of Civil Procedure, to provide that persons in certain relations to parties are prohibited from testifying.

Read first time, and ordered on Senate special file.

Senate Bill No. 198—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 ordered on Senate special file.

Senate Bill No. 285—An Act to add a new section to the Civil Code of the State of California, to be known and numbered as Section 79½, relating to the procuring of licenses for marriage, the solemnization of marriages, and the recording of the declaration of marriage.

Read first time, and ordered on Senate special file.

Senate Bill No. 141—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Read first time, and ordered on Senate special file.

MOTION.

Mr. Guy moved that Assembly Bill No. 840 be made the special order for to-morrow morning, immediately after the reading of the Journal.

So ordered.

INTRODUCTION OF BILLS, ETC.

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

By the Committee on Ways and Means: Assembly Bill No. 906—An Act to provide for the construction of a State highway from a point near Coulterville, in Mariposa County, to the Yosemite Valley, and appropriating money therefor.

Read first time, and placed on file for second reading.

By Mr. Cross: Assembly Bill No. 907—An Act to amend Section 2552 of the Political Code, relating to the salaries of the officers of the Board of State Harbor Commissioners at San Francisco.

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

Also: Assembly Bill No. 908—An Act to amend Sections 12 and 14 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 as amended by an Act approved March 26, 1895.

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

Also: Assembly Bill No. 909—An Act to amend Section 2 of an Act to organize and define the powers of the Board of Railroad Commissioners, approved April 15, 1880.

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

Also: Assembly Bill No. 910—An Act to amend Section 1 of 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 Commissions, Retrenchment, and Public Expenditures.

Also: Assembly Bill No. 911—An Act to amend Section 385 of the Political Code, relating to the salary of Private Secretary of the Governor.

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

By Mr. Guy: Assembly Bill No. 912—An Act making an appropriation to pay the claim of the Southern Pacific Company.

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

By Mr. Houghton: Assembly Bill No. 913—An Act to pay the claim of the County of Tehama, and making an appropriation therefor.

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

Also: Assembly Bill No. 914—An Act to pay the claim of the County of Napa, and making an appropriation therefor.

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

By Committee on Corporations: Assembly Bill No. 915—An Act to amend Section 465 of the Civil Code, relating to the powers of railroad corporations.

Read first time, and placed on file for second reading.

By Mr. Canavan: Assembly Bill No. 916—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 Irrigation.

By Mr. Robinson: Assembly Bill No. 917—An Act to amend the Political Code by the addition thereto of a new section, to be known as Section 1554, relating to public schools.

Read first time, and referred to Committee on Education.

By Mr. Mulcrevy: Assembly Constitutional Amendment No. 37—To propose to the people of the State of California an amendment to the Constitution of the State, amending Article XI, by adding a new section thereto, to be known as Section No. 5½, relating to consolidated city and county governments.

Referred to Committee on Constitutional Amendments.

By Mr. Robinson: Assembly Bill No. 918—An Act to provide for the completion of the revision and compilation of certain books of the State series of school text books, and for the continued publication of the same; and to authorize and direct the use for these purposes of the money accumulated in the State School Book Fund.

Read first time, and referred to Committee on Education.

By Mr. Caminetti: Assembly Constitutional Amendment No. 38—Proposed amendment to Section 6, Article IX, of the Constitution, relative to grammar schools.

Read first time, and referred to Committee on Education.

By Mr. Burnett: Assembly Bill No. 919—An Act to amend Section 592 of the Code of Civil Procedure of the State of California, relating to trial of issues of fact in civil actions.

Read first time, and referred to Committee on Judiciary.

By Mr. Elliott: Assembly Bill No. 920—An Act to amend Section 1206 of the Code of Civil Procedure, relating to notice to an attachment or execution debtor, of claims for labor.

Read first time, and referred to Committee on Judiciary.

By Mr. Pohlmann: Assembly Bill No. 921—An Act to regulate the practice of architecture.

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

By Mr. Goodhue: Assembly Bill No. 922—An Act regulating the importation of diseased cattle into the State of California, providing for the inspection of cattle now in the State, and for the inspection of dairy products, and providing for the appointment of a quarantine officer and inspectors, and the locating of quarantine stations for such purposes.

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

By Mr. Power, of Placer: Assembly Bill No. 923—An Act to amend an Act entitled "An Act to provide against the adulteration of food and drugs."

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

By Mr. Malcolm: Assembly Bill No. 924—An Act making an appropriation for the payment of the claim of D. L. Blanchard, for supplying provisions to a company of the United States Cavalry, known as Capt. Ramon Pico's company, with provisions for March, April, and May, 1863, during the War of the Rebellion, for $1,537 and simple interest thereon at the rate of four per cent per annum, making the sum of $3,688.

Read first time, and referred to Committee on Claims.

RESOLUTIONS.

By Mr. Cutter:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in favor of John L. Wilkins, for the sum of $4 a day from January 11, 1897, to February 17, 1897, both inclusive, for services as rear porter of the House

Mr. Cutter moved that the rules be suspended and the resolution considered immediately.

So ordered.

The question being upon the adoption of the resolution.

The same was adopted.

By Mr. Cross:

WHEREAS, Such part of the National Guard as are stationed in San Francisco are ordered out for parade and inspection on February 22d (Washington's Birthday); and

WHEREAS, The commanding officers of said National Guard have extended an urgent invitation to this committee to be present on that occasion; therefore, be it

Resolved, That the Committee on Military Affairs be and they are hereby granted permission to visit San Francisco at that time, for the purpose of inspecting the National Guard; and that mileage expenses be allowed this committee for the trip.

Mr. Cross moved that the rules be suspended and the resolution considered immediately.

So ordered.

The question being upon the adoption of the resolution offered by Mr. Cross.

Resolution lost.

MOTION.

At four o'clock and thirty minutes P. M., Mr. Dibble moved that the Assembly do now take a recess until seven o'clock and thirty minutes P. M.

So ordered.

REASSEMBLED.

The Assembly reassembled at seven o'clock and forty minutes P. M.

Speaker Coombs in the chair.

Quorum present.

SENATE SPECIAL FILE.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Passed on file.

MOTION.

Mr. Dibble moved that the Assembly proceed to take up the bills on second-reading Senate special file.

So ordered.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Treacy: Assembly Bill No. 925—An Act to provide for the relief of aged and indigent persons in counties of the first class, and making an appropriation therefor.

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

By Mr. Arnerich: Assembly Bill No. 926—An Act giving a lien to blacksmiths, woodworkers, and all other persons employed upon any vehicle or implement of husbandry, for labor performed or material furnished upon the same, and providing for liens upon horses and other animals, for the cost of shoeing the same.

Read first time, and referred to Committee on Labor and Capital.

STATEMENT.

The following statement by the Superintendent of State Printing was submitted by the Speaker, and was ordered printed in the Journal:

HON. FRANK L. COOMBS, *Speaker of the Assembly*

MY DEAR SIR: I address you in your official capacity concerning certain charges that have been made against the State Printing Office, and concerning a bill that originated in your House, appropriating $75,000 for carrying on the State Printing Office for the remainder of the fiscal year.

Many charges of a wild and fantastical nature have been made against me and the institution under my charge, and I have hitherto refrained from answering them, because to those who were familiar with the office the charges were so ridiculous that an answer seemed unnecessary; but inasmuch as a concerted attack seems to be made by certain persons to misrepresent the facts, I have been advised by my friends that it is due to myself that I shall make a statement concerning these matters.

In the first place, with the exception of my salary, and possibly a few dollars that I may receive for contingent expenses, I do not handle, and under the law could not handle, one dollar of the State's money. Every claim charged against the appropriation for the support of the State Printing Office must, before it is paid, receive the sanction of the State Board of Examiners, consisting of the Governor, a Democrat, and of the Secretary of State and Attorney-General, Republicans. It then passes to the Controller of State, who, if he is satisfied with the claim, draws a warrant therefor, and it is paid out of the State Treasury to the person who presents the claim. Every claim that has been paid during my administration of this office has been paid in this manner, and every claim has received the sanction of the Board of Examiners. It would be absolutely impossible for me, even if I so desired, to use for my own purpose one dollar of the State's money

A charge has been made that names of persons who do not exist have been carried on the payroll. These charges, if true, would simply condemn the Governor, Secretary of State, and Attorney-General, who pass upon these claims, and the Controller, who delivers the warrants. This statement, I say most emphatically, is untrue, and nobody could draw any money in this way without committing a forgery. It is the practice in most of the State institutions for the person in charge to draw one warrant, and to give his check to the individuals entitled to the respective amounts. Under the law I cannot follow this practice, and have not followed it; but every person, no matter how small his claim may be, who has a claim against the State, payable out of the appropriation for the State Printing Office, receives a warrant therefor.

It has been charged that there is a discrepancy between the Controller's books and mine. This is absolutely untrue, and in the very nature of things could not be true The Controller is the bookkeeper of the State, and his are the books to be governed by.

For my own convenience, I have kept an account with the different institutions and officers of the amount of stationery and printing ordered by them respectively, so that those who desired might know the amount consumed by each department of the State.

In estimating the amount so consumed, I have made a rough estimate, taking into consideration the composition, stock, presswork, and binding; but I have not counted as a charge against these institutions or departments other expenses, consisting of light, heating, power, repairs, and sundry other expenses, which are chargeable to this institution as a whole. All that anybody has to do who desires to know the truth is to add up the costs charged to the various institutions for presswork, composition, etc., as I have described, together with the other expenses that I have enumerated, and the stock on hand, and the sum total will equal the amount shown by the Controller's books, and it possibly could not be otherwise, unless the Governor of the State, the Attorney-General, and the Secretary of State were in collusion with me, which I believe nobody has as yet charged.

There is one other fact to be borne in mind in this matter, and that is, that every officer and department of the State sends to me for such printing as he or it may desire, and I am given very little, if any, discretion in the matter, unless I believe that the matter asked for is excessively extravagant, when it would be my duty to interfere.

The laws of the State are faulty, in that they do not require that each department and officer should pay out of the appropriation made for it or him, the amount of printing done for him or his department; but over this I have no control I am satisfied that if the institutions of the State were required to pay for printing out of their appropriation, the demand upon me would be much less than it has been.

In the management of this office I have followed union rules, and employed union men, and paid the union rate of wages. I am free to confess that if the State desires to inaugurate a policy of having work done for less than union rates, and not in accordance with union rules, a slight saving might be effected; but that is for your body to determine. So far as I am concerned, I desire to say that until the law is changed, and as long as the matter is left to my discretion, I shall run it as a union printing office, as I am a union printer myself

Ever since the inauguration of the State Printing Office there has been a concerted attack made by persons and establishments who desire to have the work done by contract There have also been frequent attempts made to prevent the State from publishing State text-books These are matters of legislative policy for the Legislature to determine.

I have already asked, as you know, that a joint committee from both houses be appointed to investigate the State Printing Office, when these matters can be verified and elaborated in detail.

For your information I append to this letter a statement from the Controller of State, showing that every dollar that has been expended by the State Printing Office has been upon claims audited and allowed by the State Board of Examiners and paid upon Controller's warrants.

In many, if not in most of the State institutions, there is a contingent fund which is expended by them without being passed upon by the Board of Examiners, or by the Controller. This is not the case with the State Printing Office The State Printing Office collects no money of its own, and handles no money, and it is absolutely impossible for any discrepancy to exist unless it be by collusion with the Board of Examiners and State Controller and State Treasurer. It, therefore, is apparent that charges of this nature are absolutely groundless.

I would respectfully ask that this communication be read in your House and printed in the Journal.

I have the honor to remain,

Your obedient servant,

A. J. JOHNSTON,
Superintendent of State Printing.

State of California, County of Sacramento, ss

I, Edward P. Colgan, State Controller of the State of California, do hereby certify that all money expended for the State Printing Office has been paid upon claims presented to and allowed by the State Board of Examiners and paid upon warrants issued from my office and paid by the State Treasurer.

I further certify that the State Printer collects no money himself, and that it is impossible for any money to be spent except upon claims allowed by the Board of Examiners and by the Controller.

I further certify that the State Printer draws no money himself except his salary, and small items for postage and traveling expenses, and that all warrants are issued to the party directly who performed the services or furnished the supplies, and that warrants are delivered by me to such persons only, or their authorized agent.

I further certify that there are vouchers on file for every claim that has been allowed against the appropriation for the support of the State Printing Office, and that my books correctly show the amount of money that has been allowed and expended for that purpose, and that there is not, and cannot be, any discrepancy between my accounts and the accounts of the State Printer authorized by law to be kept.

E. P. COLGAN, State Controller.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 57—An Act to regulate and govern the operation of the rock-crushing plant at the State Prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom.

Read second time.

The following amendments were submitted by Mr. Anderson:

Amend by striking out of Section 4, line 6, the words "twenty-five," and inserting the following: "sixty."

Adopted.

Also: Amend by striking out of Section 4, line 12, the word "thirty," and inserting the following: "sixty."

Adopted.

Mr. Cutter moved to reconsider the vote whereby the amendments to Senate Bill No 57, offered by Mr. Anderson, were adopted.

Mr. Treacy moved to amend the motion of Mr. Cutter, that Senate Bill No. 57 be re-referred to Committee on State Prisons and Reformatory Institutions.

The question being on the adoption of the motion of Mr. Treacy to recommit Senate Bill No. 57.

The ayes and noes were demanded by Messrs. Treacy, Lacy, and Mulcrevy.

The roll was called, and the motion of Mr. Treacy to recommit the bill lost by the following vote:

AYES—Messrs. Allen, Anderson, Burnett, Caminetti, Cross, Dibble, Dolan, Elliott, Gately, Godfrey, Keegan, Mahoney, Mulcrevy, McCandlish, Power of San Francisco, Shanahan, Toland Treacy, and Waymire—19.

NOES—Messrs. Aldridge, Austin, Bridgford, Burnham, Chynoweth, Clarke, Cutter, Dryden, Ennis, Foreman, Goff, Goodhue, Harris, Henry, Houghton, Hudson, Keables, Lindenberger, Mead, Melick, McClellan, North of Alameda, North of Yolo, Rubell, Sanford, Sims, Stansell, Strain, Valentine, Wright, and Mr. Speaker—31.

The question being on the motion of Mr. Cutter to reconsider the vote whereby Senate Bill No. 57 was amended. The same was adopted.

The question being on the adoption of Amendment No. 1, offered by Mr. Anderson, to Senate Bill No. 57. The same was lost.

The question being on the motion of Mr. Cutter to reconsider the vote whereby Senate Bill No. 57 was amended. The same was adopted.

The question being on the adoption of Amendment No. 2, offered by Mr. Anderson, to Senate Bill No. 57. The same was lost.

AMENDMENTS—(RESUMED).

By Mr. Anderson:

Amend by striking out of Section 4, line 12, the word "thirty," and inserting the following: "fifty."

Lost.

Also: Amend by striking out of Section 4, line 6, the words "twenty-five," and inserting the following: "fifty."

Lost.

Also: Amend by striking out of Section 4, line 12, the word "thirty," and inserting the following: "forty-five."

Lost.

Also: Amend by striking out of Section 4, line 6, the words "twenty-five," and inserting the following: "forty-five."

Lost.

Ordered to printer, and on file for third reading.

LEAVE OF ABSENCE.

Messrs. Kenyon and Foreman were granted leave of absence until to-morrow.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 32—An Act to amend Section 3633 of the Political Code of the State of California, relating to the assessment of property of persons neglecting or refusing to make and give to the Assessor a statement of his property.

Read second time, and ordered on file for third reading.

Senate Bill No. 104—An Act prohibiting ring-fights, prize-fights, glove-contests, or any other premeditated fight, contest, or contention, by whatsoever name or names it or they may be called, and prescribing penalties for the violation thereof.

Read second time, and ordered on file for third reading.

Senate Bill No. 106—An Act to amend Section 412 of the Penal Code, relating to boxing or sparring matches, and prize or ring fights.

Read second time.

The following amendment was submitted:

Amend by striking out of Section 1 all of line 7 and inserting the following: "for a prize greater than thirty-five dollars."

Adopted.

Ordered to printer, and on file for third reading.

Senate Bill No. 13—An Act to amend an Act entitled "An Act to create a police relief, health, 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.

The following amendment was submitted:

Amend by inserting in the fifteenth line of Section 2, of the printed bill, after the words "pension fund," the following: "*provided*, that whenever such disability shall cease such pension shall cease, and such person shall be restored to active service at the same salary he received at the time of his retirement."

Adopted.

Ordered to printer, and on file for third reading.

Senate Bill No. 53—An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor.

Read second time.

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. 53.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 53 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 53—An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor—and now report, and recommend that the same do pass.

COOMBS, Chairman.

Adopted.

Senate Bill No. 53 ordered on file and to third reading.

At nine o'clock and ten minutes P. M., the Speaker called Mr. Valentine to the chair.

Senate Bill No. 7—An Act providing for the election or appointment

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 such Judges.

Read second time.

The following amendment was submitted:

Amend Section 3 of the printed bill by striking out the word "three," in line 4, and inserting the word "four."

Adopted.

Senate Bill No. 7 ordered to printer, and on file for third reading.

Senate Bill No. 44—An Act to amend Section 1189 of the Civil Code, relating to the acknowledgment of instruments.

Read second time.

The following amendments were submitted:

Amend by adding after the word "do" in line 18 of the printed bill, the words "and that the signature of the said officer to such certificate is his true and genuine signature."

Adopted.

Also: Amend by striking out the word "conclusive" in line 20 of the printed bill, and inserting in place thereof the words "prima facie."

Adopted.

Senate Bill No. 44 ordered to printer, and on file for third reading.

Senate Bill No. 189—An Act to amend Sections 566 and 641 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, in relation to receivers and referees.

Read second time.

The following amendments were submitted:

Amend Section 1 of the printed bill by adding after the word "sixty-six," on line 1, the words "of the Code of Civil Procedure."

Adopted.

Amend Section 2 of the printed bill by inserting after the word "forty-one," in line 1, the words "of the Code of Civil Procedure."

Adopted.

Senate Bill No. 189 ordered to printer, and on file for third reading.

Senate Bill No. 373—An Act to amend Section 456 of the Civil Code, relating to railroads.

Read second time.

The following amendment was submitted:

Amend by inserting the words "by unanimous concurrence" after the word "thereof," in line 5 of Section 1 of printed bill.

Adopted.

Senate Bill No. 373 ordered to printer, and on file for third reading.

Senate Bill No. 129—An Act to amend Section 164 of the Civil Code of the State of California, relating to conveyances of real property by married women, and limiting the time in which to commence actions for recovery of community property by husbands.

Read second time, and ordered on file for third reading.

Senate Bill No. 538—An Act ceding to the United States of America jurisdiction over all lands within this State which have been or may hereafter be acquired by the United States for military purposes.

Read second time, and ordered on file for third reading.

Senate Bill No. 539—An Act relinquishing to the United States of America the title of this State to certain lands.

Read second time, and ordered on file for third reading.

Senate Bill No. 33—An Act for the certification of land titles, and the simplification of the transfer of real estate.

Read second time, and ordered on file for third reading.

Senate Bill No. 128—An Act to amend Section 1723 of the Code of Civil Procedure, relating to the disposition of life estates, or homestead or community property, on owner's death, in certain cases.

Read second time, and ordered on file for third reading.

Senate Bill No. 132—An Act to amend Section 1207 of the Civil Code, relating to transfers of real property, and fixing a time when defective certificates of acknowledgment shall become valid.

Read second time, and ordered on file for third reading.

Senate Bill No. 8—An Act to amend Section 1880 of the Code of Civil Procedure of the State of California, relation to witnesses.

Read second time, and ordered on file for third reading.

Senate Bill No. 50—An Act defining the different grades of cheese, and for branding the same, manufactured in the State of California.

Read second time, and ordered on file for third reading.

Senate Bill No. 111—An Act to amend Section 1093 of the Penal Code, relating to order of trials.

Refused second reading.

Senate Bill No. 126—An Act to amend Section 607 of the Code of Civil Procedure of the State of California, relating to order of procedure on trial.

Read second time, and ordered on file for third reading.

Senate Bill No. 161—An Act to amend Section 798 of the Political Code of the State of California, fixing the fees of notaries public.

Refused second reading.

Mr. Melick gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 161 was refused second reading.

Mr. Cutter moved that the vote by which Senate Bill No. 111 was refused second reading be reconsidered.

So ordered.

Mr. Shanahan moved that Senate Bill No. 111 be read second time.

So ordered.

Senate Bill No. 111—An Act to amend Section 1093 of the Penal Code, relating to order of trial.

Read second time, and ordered on file for third reading.

Substitute for Senate Bill No. 42—An Act to amend Section 224 of the Civil Code of California, relating to the adoption of orphan, half-orphan, or abandoned children.

Read second time, and ordered on file for third reading.

Senate Bill No. 260—An Act to provide for the purchase of a portrait of ex-Governor John McDougall, by the State Board of Examiners, and to appropriate money therefor.

Read second time.

Mr. Dibble moved that Senate Bill No. 260 be referred to the Committee on Ways and Means, and retain its place on the file.

So ordered.

Senate Bill No. 260 ordered to third reading.

Senate Bill No. 105—An Act relating to pawnbrokers, companies and corporations doing business as such, prescribing their duties and obligations, and also prescribing penalties for the violation of any of the provisions of this Act.

Read second time, and ordered on file for third reading.

Senate Bill No. 290—An Act authorizing and empowering the Board of School Trustees of the City of San José, County of Santa Clara, State of California, to erect, construct and build, and maintain, at the expense of the said City of San José, a high school building, on the north side of the State Normal School grounds at San José, between Fifth and Sixth streets, in said city.

Read second time.

The following amendments were submitted by Mr. Arnerich:

Amend by striking out of line 6 the word "Sixth," and inserting the following: "Seventh."

Adopted.

Also: Amend by striking out of Section 1, line 9, the word "Sixth," and inserting the following: "Seventh"

Adopted.

Senate Bill No. 290 ordered to printer, and on file for third reading.

Senate Bill No. 93—An Act to keep open natural channels, not navigable, which run through agricultural land, and are subject to overflow, to the injury of the land, and the duty of Boards of Supervisors in relation thereto.

Read second time, and ordered on file for third reading.

ADJOURNMENT.

At nine o'clock and thirty minutes P. M., on motion of Mr. Wright, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 18, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs Aldridge, Allen, Anderson, Arnerich, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McLaurin, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

LEAVE OF ABSENCE.

Messrs. Goff, Austin, and Canavan were granted leave of absence for the day; also, Mr. Boone for yesterday morning at roll call.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Tuesday, February 16th, was approved as corrected.

Mr. Belshaw moved to reconsider the vote whereby the Assembly Journal of February 15th was approved.

So ordered.

Mr. Belshaw moved to correct the Journal of February 15th by inserting after Assembly Bill No. 451 the following amendments:

In Section 1, line 1, after the word "thirty-two," insert the words "of the Penal Code"; also, after the word "Section," change the figure "3" to "2."

Adopted.

The Journal of Monday, February 15th, was approved as corrected.

MOTION.

Mr. North moved to take up the consideration of Senate messages before the special orders.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 17, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 17th day of February, amended, and adopted as amended, the following: Assembly Concurrent Resolution No. 6—Relative to the appointment of a joint committee to investigate the charges made by the Governor, in his message to the Assembly, against the State Printer.

ASSEMBLY CONCURRENT RESOLUTION No. 6.

Appointing Senators Dickinson, Gillette, and Seawell, members of the Senate, and Assemblymen Price, Dennery, and McLaurin, members of the Assembly, a joint committee of the Senate and Assembly to examine into and report upon the charges made by the Governor relative to the management and conduct of the State Printer's office, in his message to the Assembly of February 9, 1897, setting forth his reasons for vetoing Assembly Bill No 263, and to examine into and report upon the management and conduct generally by the Superintendent of State Printing of the business and affairs of the State Printing Office, and to examine into and report upon the necessity for an appropriation for the support of and to carry on the business of the State Printing Office for the remainder of the forty-eighth fiscal year, and the probable amount required for such purpose.

Resolved by the Assembly of the State of California, the Senate concurring, That Senators Dickinson, Gillette, and Seawell, members of the Senate, and Assemblymen Price, Dennery, and McLaurin, members of the Assembly, be and they are hereby appointed as a joint committee of the Senate and Assembly to examine into and report upon all matters connected with or in any way pertaining to the charges and statements made by the Governor of this State relative to the management and conduct of the business and affairs of the State Printing Office, in his veto message to the Assembly of February the ninth, eighteen hundred and ninety-seven, accompanying Assembly Bill No 263, entitled "An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year"; and to examine into and report upon all matters and things in any way connected with or pertaining to the management and conduct generally by the Superintendent of State Printing of the business and affairs of the State Printing Office, and to examine into and report upon the necessity for an appropriation for the support of and to carry on the business of the State Printing Office for the remainder of the forty-eighth fiscal year, and the probable amount required for such purpose, and to further report such legislative measures as may be deemed necessary to insure a strictly economical administration of the affairs of said State Printing Office.

Resolved, That said joint committee be, and it hereby is, authorized and empowered to do any and all things necessary to make a full and complete investigation of the

matters and things hereinabove enumerated, and to that end to employ all necessary clerical and expert assistance; and that said joint committee be, and it hereby is, authorized and empowered to send for persons and papers, and to take all necessary means to procure the attendance of witnesses and testimony; and the members of said joint committee are, and each of them is, hereby authorized to administer oaths; and that all the provisions of article eight of chapter two, title one, part three, of the Political Code of this State, relative to the "attendance and examination of witnesses before the Legislature and committees thereof," shall apply to the joint committee appointed under this resolution; and that the Sergeant-at-Arms of either the Senate or Assembly is hereby authorized and directed to serve any and all subpœnas and orders or other process that may be issued by the Chairman of the said joint committee, when directed to do so by the said Chairman.

F. J. BRANDON, Secretary.

The following Senate amendment was submitted:

Amend by striking out all of the last paragraph relating to experts and accountants.

The previous question was demanded by Messrs. Mead, Cross, and Landsborough.

So ordered.

The question being, "Shall the main question be now put?"

So ordered

The question being, "Shall the Assembly concur in the Senate amendment to Assembly Concurrent Resolution No. 6?"

The roll was called, and the Assembly refused to concur in the Senate amendment by the following vote:

AYES—None.

NOES—Messrs Aldridge, Allen, Anderson, Belshaw, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—63.

Mr. Dibble moved that Assembly Concurrent Resolution No. 6 be transmitted to the Senate, with the request that it recede from its amendments.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, February 17, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 17th day of February passed the following: Senate Bill No. 142—An Act to amend Section 688 of the Code of Civil Procedure of the State of California, relating to executions.

Also: Senate Bill No. 261—An Act to provide for the purchase of a portrait of ex-Governor Henry H. Markham, by the State Board of Examiners, and to appropriate money therefor.

F. J. BRANDON, Secretary.

Senate Bill No. 142—An Act to amend Section 688 of the Code of Civil Procedure of the State of California, relating to executions.

Read first time, and placed on file for second reading.

Senate Bill No. 261—An Act to provide for the purchase of a portrait of ex-Governor Henry H. Markham, by the State Board of Examiners, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, February 17, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 7th day of February passed the following:

Assembly Bill No 681—An Act concerning bridges across navigable streams.

Also: Assembly Bill No. 12—An Act to amend Section 312 of the Code of Civil Procedure of the State of California, relating to the time of commencing actions.

Also: Amended, and passed as amended, Assembly Bill No. 22—An Act to amend Section 5 of 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

F. J. BRANDON, Secretary.

Assembly Bills Nos. 681 and 12 ordered to enrollment.

Assembly Bill No. 22—An Act to amend Section 5 of an Act entitled "An Act to provide a system of street-improvement bonds to represent assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

The following Senate amendment was submitted:

In engrossed bill, insert between subdivision *h* and subdivision *j*, the following:

"Subdivision *i*. On receiving the certificate of sale the Recorder must file it, and make an entry in a book similar to that required of the City Treasurer, the fee for which shall be fifty cents, and on presentation of the receipt of the City Treasurer for the total amount of the redemption money, the Recorder must, without charge, mark the word 'Redeemed,' the date, and by whom redeemed, on the margin of the book where the entry of the certificate is made."

The question being, "Shall the Assembly concur in the Senate amendment to Assembly Bill No. 22?"

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs Aldridge, Allen, Bridgford, Burnett, Chynoweth, Cross, Damon, Dibble, Dryden, Elliott, Ennis, Foreman, Godfrey, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Kelly, Landsborough, Leavitt, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McLaurin, North of Yolo, Pohlmann, Power of Placer, Price, Soward, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—41.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, February 17, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 17th day of February adopted the report of Senate Committee on Federal Relations and Immigration, which in part reads as follows: "This committee has heretofore favorably recommended Senate Joint Resolution No. 13. We find that the Assembly has acted in violation of Joint Rule XL, by adopting Assembly Joint Resolution No. 24, as said rule fixes the time for consideration of joint resolutions to be during the twelve days preceding adjournment of the Legislature. We, therefore, recommend that said Assembly Joint Resolution No. 24 be returned to the Assembly, and their attention called to Joint Rule XL."

F. J. BRANDON, Secretary.

Assembly Joint Resolution No. 24 ordered to the head of file, under unfinished business.

SPECIAL ORDERS.

Assembly Constitutional Amendment No. 1—Proposed Amendment to Section 1 of Article XVIII of the Constitution, relative to amendments.

The following amendments were submitted by Mr. Hill:

AMENDMENT No. 1.

Amend by striking out of Section 1, line 7, the clause beginning with the word "citizens" and concluding with the word "as" in the same line.

Adopted.

AMENDMENT No. 2.

Amend by striking out of Section 1, line 8, the word "twenty," and inserting the following: "forty."

Adopted.

Mr. Cartwright moved to reconsider the vote whereby Amendment No. 2, offered to Assembly Constitutional Amendment No. 1, was adopted.

So ordered.

The question being on the adoption of the amendment.

Mr. Cartwright moved to change the word "forty" to "thirty."

So ordered.

The question being on the adoption of the amendment as amended.

The same was adopted.

Assembly Constitutional Amendment No. 1 ordered to printer.

Assembly Constitutional Amendment No. 2—Proposed amendment to Section 1, Article IV, of the Constitution, relative to legislative power.

The following amendments were submitted by Mr. Hill:

Amend by striking out of Section 1, lines 4 and 5, the word "twenty (20)," in each of said lines, and inserting the following: "thirty (30)" in lieu thereof in each of said lines.

Adopted.

Also: Amend by striking out of Section 1, line 3, after the word "by," the words "citizen entitled to qualify as"

Adopted.

Assembly Constitutional Amendment No. 2 ordered to printer.

Assembly Constitutional Amendment No. 3—Proposed amendment to Section 11, Article XI, of the Constitution, relative to elections.

The following amendments were submitted:

By Mr. Toland:

Amend by inserting the word "general" between the words "preceding" and "election," in line 5 of Section 11.

Adopted.

By Mr. Hill:

Amend by striking out of Section 11, line 5, the word "twenty (20)" and inserting the word "thirty (30)."

Adopted.

Also: Amend by striking out of Section 11, line 4, the words "citizens entitled to qualify as."

Adopted.

Assembly Constitutional Amendment No. 3 ordered to printer.

THIRD READING OF BILL—(OUT OF ORDER).

Mr. Guy moved that the Assembly take up Assembly Bill No. 840 out of order.

So ordered.

Assembly Bill No. 840—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read third time.

The question being on the final passsage of the bill.

The roll was called, and pending the announcement of the result Mr. Cutter moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Bettman, Boone, Bridgford, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey,

Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Shanahan, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker.

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

So ordered.

Mr. Dibble moved that the hour of recess be extended fifteen minutes.

So ordered.

Mr. Dibble moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Shanahan, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker.

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

So ordered.

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

AYES—Messrs. Anderson, Arnerich, Belshaw, Bettman, Burnham, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Emmons, Ennis, Fontana, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Kelly, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, McCandlish, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Stansell, Strain, Valentine, Vosburg, Waymire, and Mr. Speaker—42.

NOES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Houghton, Keegan, Lacy, Mahoney, Mulcrevy, McClellan, McGrath, McLaurin, Rubell, Ryan, Shanahan, Toland, and Treacy—26.

RECESS.

At twelve o'clock and forty-five minutes P. M., the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock and ten minutes P. M.

Speaker Coombs in the chair.

Quorum present.

SENATE SPECIAL FILE.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Passed on file.

Senate Bill No. 145—An Act to amend Section 475 of the Code of

Civil Procedure of the State of California, relating to errors and defects and reversals of judgments and orders.

Passed on file.

Senate Bill No. 369—An Act to amend Section 1213 of the Civil Code of the State of California, relative to the recording of conveyances.

Passed on file.

Senate Bill No. 113—An Act to amend Section 685 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.

Senate Bill No. 155—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.

Passed on file.

Senate Bill No. 47—An Act to amend Section 61 of the Civil Code, relating to the granting of divorces.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Anderson, Arnerich, Belshaw, Bettman, Burnham, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Emmons, Ennis, Fontana, Goodhue, Guy, Harris, Henry, Jones, Keables, Kelly, Lacy, Landsborough, Lindenberger, Mahoney, Mead, Melick, McClellan, McGrath, McLaurin, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Sims, Soward, Strain, Treacy, Valentine, Vosburg, Waymire, and Mr Speaker—46.

NOES—Messrs. Boone, Hill, Houghton, McCandlish, and Stansell—5.

Title read and approved.

Senate Bill No. 67—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 1703½, concerning the distribution of estate and discharge of 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. Aldridge, Allen, Anderson, Arnerich, Belshaw, Boone, Burnham, Cross, Cutter, Damon, Dibble, Dolan, Emmons, Ennis, Fontana, Goodhue, Guy, Harris, Henry, Hill, Houghton, Jones, Keables, Kelly, Lacy, Landsborough, Lindenberger, Mahoney, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Yolo, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, and Mr. Speaker—48.

NOES—None.

Title read and approved.

At two o'clock and thirty minutes P. M., the Speaker called Mr. Guy to the chair.

Senate Bill No. 122—An Act to add two new sections to the Code of Civil Procedure, said sections to be designated as Sections 663 and 663½, respectively, providing for the setting aside of a judgment of a Superior Court and the rendition of a new judgment without a new trial.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Boone, Burnham, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Emmons, Ennis, Fontana, Godfrey, Goodhue, Guy, Harris, Henry, Hill, Houghton, Jones, Kelly, Lacy, Landsborough, Lindenberger, Mahoney, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Yolo, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Senate Bill No. 120 (Substitute for Assembly Bill No. 145)—An Act to legalize certain acknowledgments.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Burnham, Cross, Damon, Dibble, Dolan, Dryden, Emmons, Ennis, Goodhue, Guy, Harris, Henry, Hill, Houghton, Jones, Keegan, Kelly, Lacy, Leavitt, Lindenberger, Mead, Melick, McCandlish, McClellan, McLaurin, North of Yolo, Power of Placer, Robinson, Rubell, Ryan, Sims, Shanahan, Soward, Strain, Toland, Treacy, Valentine, Vosburg, and Waymire—42.

NOES—Mr. Power of San Francisco—1.

Title read and approved.

Senate Bill No. 186—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the western 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.

Mr. Emmons moved that Senate Bill No. 186 be passed, to retain its place on file.

So ordered.

Senate Bill No. 338—An Act to amend Sections 2292, 2293, 2294, of Chapter III, Title V, of the Political Code, relating to the State Library.

Read third time.

Mr. Valentine moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend Section 2 of the printed bill by striking out all of line 7 after the word "librarian," and all of line 8, and insert in lieu thereof, "and an assistant librarian, and whenever necessary to authorize the librarian to appoint an additional deputy."

Amend Section 3 of the printed bill by striking out all of lines 3, 4, and 5, and inserting in lieu thereof the following:

"Section 2294. The librarian and the assistant librarian hold office for the term of four years, unless sooner removed by a majority vote of all of the trustees."

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. Burnham, Dibble, Fontana, Guy, Harris, Hill, Hudson, Lindenberger, Strain, Valentine, and Mr. Speaker—11.

NOES—Messrs Aldridge, Allen, Arnerich, Belshaw, Boone, Bridgford, Caminetti, Cutter, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goodhue, Houghton, Keegan, Lacy, Landsborough, Leavitt, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Soward, Toland, and Treacy—37.

Senate Bill No. 177—An Act to amend Section 638 of the Civil Code of the State of California, relating to the interest to be charged and security to be taken by mutual building and loan 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. Aldridge, Allen, Belshaw, Boone, Bridgford, Burnett, Caminetti, Chynoweth, Cross, Cutter, Dibble, Dryden, Elliott, Fontana, Godfrey, Goodhue, Guy, Houghton, Hudson, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy,

McCandlish, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Robinson, Rubell, Ryan, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Wright—45.
NOES—None.

Title read and approved.

Mr. Wright moved to take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 18, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 18th day of February amended and passed the following:

Assembly Bill No. 452—An Act to repeal Sections 626*a*, 626*b*, 626*c*, 626*d*, 626*e*, 626*f*, 626*g*, 626*h*, 626*i*, 627*a*, 627*b*, 627*c*, and 627*d*, and to amend Sections 626 and 627 of the Penal Code of the State of California, relating to game.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Assembly Bill No. 452 (Substitute for Assembly Bill No. 38)—An Act to amend Section 626 of the Penal Code, relating to fish and game.

Placed on file for first reading.

Mr. Sims moved that Assembly Bill No. 452 be made a special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, February 18, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 18th day of February passed the following: Assembly Bill No. 316—An Act to provide for increasing the efficiency of fire departments within municipalities of the first class in the State of California.

Also: Assembly Bill No. 120—An Act to provide additional support and maintenance, and for the acquisition of necessary property and improvements for the University of California, by the levy of a rate of taxation and the creation of a fund therefor.

Also: Assembly Bill No. 496—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Assembly Bills Nos. 316, 120, and 496 ordered to enrollment.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 310—An Act for the protection of the Antwerp messenger, or homing pigeon.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Anderson, Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Cross, Damon, Dennery, Dibble, Dolan, Elliott, Ennis, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Lacy, Leavitt, Lindenberger, Malcolm, Mead, Melick, McClellan, North of Alameda, Pohlmann, Power of San Francisco, Robinson, Rubell, Ryan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Waymire, Wright, and Mr. Speaker—45.
NOES—None.

Title read and approved.

At three o'clock and twenty-five minutes P. M., the Speaker resumed the chair.

Senate Bill No. 158—An Act to amend an Act entitled "An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the place of use," approved March 12, 1885, by inserting a new section therein, relating to contracts for the sale, rental, and distri-

bution of water, and the sale or rental of easements and servitudes of the right to the flow and use of water.

Mr. Leavitt moved that Senate Bill No. 158 be referred to the Committee on Irrigation.

Lost.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Anderson, Arnerich, Belshaw, Burnham, Chynoweth, Clarke, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Keegan, Landsborough, Lindenberger, Mead, Melick, Mulcrevy, McCandlish, McLaurin, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Sanford, Sims, Soward, Strain, Toland, Valentine, Vosburg, and Waymire—49.

NOES—Mr. Leavitt—1.

Title read and approved.

PETITIONS.

By Mr. Chynoweth: Petition from sixty citizens of Orange County, opposing the enacting of a Sunday law.

Referred to Committee on Public Morals.

By Mr. Treacy: Petition from one hundred citizens of California, regarding the competition of convict labor with free labor.

Referred to Committee on Labor and Capital.

By Mr. Boone: Petition from citizens of the State of California, relative to an Act to appropriate money for the support of half orphans and abandoned children.

Referred to Committee on Public Morals.

LEAVE OF ABSENCE.

Messrs. Jones, Breiling, Henry, Mahoney, and Keables were granted leave of absence until next Tuesday morning.

MOTIONS.

Mr. Caminetti moved to reconsider the vote by which Assembly Bill No. 863 was passed yesterday.

Lost.

Mr. Melick moved to reconsider the vote by which Assembly Bill No. 427 was refused second reading.

So ordered.

NOTICE OF RECONSIDERATION.

Mr. Toland gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 158 was finally passed this day.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 198—An Act to amend Section 388, Civil Code of California, relative to the sale of a franchise to collect tolls,—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw it, as we find that Assembly Bill No 784 (No 209 on the file) was introduced by the Committee on Revision of Codes and Statutes as a substitute for Senate Bill No. 275, which was identical with Assembly Bill No. 198.

WAYMIRE, Chairman.

Assembly Bill No. 198—An Act to amend Section 388 of the Civil Code of the State of California, relative to the sale of a franchise to collect tolls.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Constitutional Amendment No. 10—Proposed amendment to Section 5 of Article XI of the Constitution, relative to county officers and their 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. 166—An Act to amend Sections 1523, 1524, and 1536 of the Penal Code, relating to search warrants.

Also: Assembly Bill No. 179—An Act to amend Section 1918 of the Civil Code, relating to interest.

Also: Assembly Bill No. 790—An Act to amend Section 1576 of the Code of Civil Procedure, relating to the purchase of property of deceased persons by the administrator or executor.

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

WAYMIRE, Chairman.

Assembly Bill No. 166—An Act to amend Sections 1523, 1524, and 1536 of the Penal Code, relating to search warrants.

Read first time, and placed on file for second reading.

Assembly Bill No. 179—An Act to amend Section 1918 of the Civil Code of California, relating to interest.

Read first time, and placed on file for second reading.

Assembly Bill No. 790 placed on file for second reading.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No 451 (Substitute for Assembly Bill No 73 and Assembly Bill No. 102)—An Act to amend Sections 632 and 634 of the Penal Code of the State of California, relating to fish.

Also: Assembly Bill No. 11—An Act to amend Sections 8 and 49 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 March 26, 1895.

And presented the same to the Governor on this day, at eleven o'clock and fifteen minutes A M

Also: Assembly Bill No. 134—An Act to amend 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, relating to the office of Commissioner of Public Works.

Also: Assembly Bill No. 453—An Act to amend Sections 1 and 3 of an Act amendatory of an Act entitled "An Act for the better protection of the stockholders in corporations formed under the laws of the State of California for the purpose of carrying on and conducting the business of mining," approved March 13, 1874; April 23, 1880.

Also: Assembly Bill No. 21—An Act to amend Section 1 of an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895.

Also: Assembly Bill No 7—An Act to compel all depositaries of money and commercial banks to publish a sworn statement of all unclaimed deposits.

And presented the same to the Governor on this day, at eleven o'clock and thirty minutes A. M.

FONTANA, Chairman.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations hereby report the following temporary rule, under Rule LXVII of the Assembly: That the following bills be considered at a meeting of the Assembly to be held Tuesday evening, February 23d, commencing at seven o'clock and thirty minutes; that all of said bills not now on the third-reading file be considered under the urgency clause of the Constitution, and be read second and third times, and placed on final passage, that no other business be transacted pending consideration of said measures, except by unanimous consent:

Senate Bill No. 538—An Act ceding to the United States of America jurisdiction over

all lands within the State which have been or may hereafter be acquired by the United States for military purposes.

Senate Bill No 539—An Act relinquishing to the United States of America the title of this State to certain lands.

Assembly Bill No. 395—An Act to amend an Act entitled "An Act to establish a tax on collateral inheritance bequests and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893.

Assembly Bill No. 770—An Act to add a new section to the Civil Code, to be known as Section 2949 thereof, relating to the sale and redemption of property sold under power of mortgages and trust deeds. (Substitute for Assembly Bill No. 148.)

Assembly Bill No. 843—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, by amending Section 1 of said Act

Assembly Bill No 431—An Act to amend Section 3641 of the Political Code, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue

Assembly Bill No. 432—An Act to add a new section to the Political Code, to be known as Section 3609 thereof, relating to the general revenue of this State, and to property liable to taxation for the purpose of revenue.

Assembly Bill No. 433—An Act to amend Section 3608 of the Political Code of California, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue

Assembly Bill No. 434—An Act to amend Sections 7 and 9 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 as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Assembly Bill No. 484—An Act entitled an Act to make the Police Court in counties, cities, and cities and counties, having a population of two hundred thousand inhabitants, a court of record.

Assembly Bill No. 785—An Act to amend Section 602 of the Civil Code, relating to corporations sole.

Assembly Bill No 892—An Act to amend an Act to provide a system of drainage for agricultural swamp and overflowed lands, approved March 3, 1881, by amending Section 9 thereof.

Assembly Bill No. 916—An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands.

Assembly Bill No. 138—An Act entitled "An Act to amend Section 2003 of the Political Code."

Assembly Bill No. 713—An Act making an appropriation for the erection of a ward building for the Southern California State Asylum for the Insane and Inebriates.

Assembly Bill No 694—An Act authorizing municipal corporations to lease, purchase, own, and operate gravel beds and quarries, and to transport gravel and rock therefrom to such municipal corporations for the purpose of making, improving, and reparing roads.

Assembly Bill No. 876—An Act to regulate the business of commission merchants, agents, factories, or brokers dealing in farm produce, grain, fruit, seeds, honey, or dairy produce.

CHYNOWETH, Chairman.

Ordered printed in the Journal.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1897.

MR. SPEAKER: Your committee, the San Francisco Delegation, to whom was referred Assembly Bill No. 885—An Act to authorize the Board of Education of the City and County of San Francisco to lease school lots in said city and county—have had the same under consideration, and respectfully report the same back, and recommend it do pass as a substitute for Assembly Bill No. 833; and further request that the author of Assembly Bill No. 833 be allowed to withdraw the same.

MULCREVY, Chairman.

Assembly Bill No. 833 withdrawn by author.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1897.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred resolution by Mr. Caminetti:

WHEREAS, Under the laws of California preference is directed to be given to ex-soldiers and sailors of the Union in the employment of certain officers and assistants in the public service;

WHEREAS, The same preference should be given to sons and daughters of such thereof who have lost their lives in the defense of the country; therefore, be it

Resolved, That Mrs. Sue Porter Carpenter be and hereby is appointed Assistant Janitress of the ladies' waiting-room, at a per diem of $4, payable out of the Contingent Fund of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted, and that her pay commence from February 2, 1897.

VOSBURG, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1897

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 824—An Act to empower the Common Council, Board of Trustees, Board of Supervisors, or other legislative or governing body of cities or cities and counties having a population of over one hundred thousand, to pension the widows of firemen—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 705—An Act to regulate the issuance of licenses by municipalities and counties—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. 573—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 851 thereof, relative to the officers of municipal incorporations of the sixth class, approved March 27, 1885.

Also: Assembly Bill No. 868—An Act to amend Section 757 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 not pass.

VALENTINE, Chairman.

Assembly Bill No. 824 ordered on file for second reading.

Assembly Bill No. 705 referred to Committee on County and Township Governments.

Assembly Bill No. 573—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 851 thereof, relative to the officers of municipal incorporations of the sixth class.

Read first time, and placed on file for second reading.

Assembly Bill No. 868 placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 443—An Act to amend Section 758 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. 441—An Act authorizing 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, to issue bonds therefor, 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 pass

Also: Assembly Bill No 801—An Act to amend Section 855 of an Act entitled "Municipal Corporation Bill—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 as amended.

VALENTINE, Chairman.

Senate Bills Nos. 443 and 441, and Assembly Bill No. 801, ordered on Senate special file for second reading.

MOTIONS.

Mr. Waymire moved that Assembly Bill No. 501 be withdrawn, and Senate Bill No. 443 substituted therefor.

So ordered.

Mr. Jones moved that Assembly Bill No. 429 be withdrawn, and Assembly Bill No. 485 substituted therefor.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 608—An Act appropriating money to pay the expenses of preparing, forwarding, installing, maintaining, taking down, and returning an exhibit of the products of the State of California at the Trans-Mississippi and International Exposition, to be held in Omaha in 1898, and to provide for a commission and its expenses, a secretary of such commission, and the compensation of the secretary thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

GUY, Chairman.

Assembly Bill No. 608—An Act appropriating money to pay the expenses of preparing, forwarding, installing, maintaining, taking down, and returning an exhibit of the products of the State of California at the Trans-Mississippi and International Exposition, to be held in Omaha in 1898, and to provide for a commission and its expenses, a secretary of such commission, and the compensation of the secretary thereof.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 175—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, and 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.

GUY, Chairman.

Assembly Bill No. 175—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, and State of California, and to make an appropriation therefor.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 860—An Act to provide for the dredging and improvement of Alviso Slough, 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 resolution by Dennery, for services of J. H. Watkins as stenographer before the Committee on Labor and Capital—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. H. Watkins for the sum of $48 60, for services rendered as per following bill:

To reporting, in shorthand, proceedings of Assembly Committee on Labor and Capital, Jan. 19-20, 1897, (8:30 P. M. till 1 A. M.)	$5 00
To transcript, 168 folios, at 20 cents per folio	33 60
To two extra copies, each $5	10 00
	$48 60

Said warrant to be drawn upon the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

GUY, Chairman.

Adopted.

Assembly Bill No. 860 placed on file for second reading.

INTRODUCTION OF BILLS, ETC.

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

By Mr. Waymire: Assembly Constitutional Amendment No. 39—A

resolution to propose to the people of the State of California an amendment to Section 1 of Article XIII of the Constitution, in relation to revenue and taxation.

Referred to Committee on Constitutional Amendments.

By Mr. Strain: Assembly Bill No. 927—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 Public and Swamp and Overflowed Lands.

By Committee on Fruit and Vine Interests: Assembly Bill No. 928—An Act appropriating money to pay the expenses of collecting, preparing, forwarding, installing and maintaining, taking down, and returning an exhibit of the products of the State of California at the Hamburg Horticultural Exposition, to be held at Hamburg, Germany, in 1897, and to provide for a commission, secretary of commission, and the pay of the secretary thereof.

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

By Mr. Burnett: Assembly Bill No. 929—An Act to amend Section 953 of the Code of Civil Procedure, relating to records on appeals and to the certification and transmission thereof.

Read first time, and referred to Committee on Judiciary.

MOTIONS.

Mr. Dibble moved to suspend the rules and take up Assembly Bill No. 843.

So ordered.

Assembly Bill No. 843—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, by amending Section 1 of said Act.

Read second time.

The following amendments were submitted:

Amend Section 1 of printed bill as follows:
In line 7 strike out the words "Common Council"
In line 8 strike out the words "city and county."
In line 9 strike out the words "city, town."
In line 9 insert "removals of," after the word "except."
In line 14 strike out the words "Common Council."
In line 17 strike out the words "city and county."
In line 18 strike out the words "city, town."
In line 20 strike out the words "town or city."
In line 23 strike out the words "city and county or."
In lines 28 and 29 strike out the words "Common Council."

Adopted.

Mr. Boone moved that Assembly Bill No. 796 be made the special order for to-morrow, after the reports of committees.

So ordered.

RESOLUTIONS.

By Mr. Bettman:

Resolved, That a sub-committee of three from the Committee on Public Buildings and Grounds, and three from the Committee on Ways and Means, be appointed by the Chairmen of those committees to visit San Luis Obispo, and report upon the feasibility of locating a State institution of learning at that place; also, to visit the normal school at San José, the asylum at Agnews, and the proposed home at Santa Clara for the girls now kept at Whittier, such committee to receive its actual expenses only.

Mr. Bettman moved that the rules be suspended and the resolution considered at this time.

So ordered.

Resolution adopted.

By Mr. Mulcrevy:

Resolved, That the following Assembly bills, relating exclusively to San Francisco—Nos. 233, 258, 312, 384, 386, 427, 445, 485, and 885—be made a special order for to-morrow (Friday), immediately after reading of the Journal.

Lost.

MOTION.

Mr. Bridgford moved to take up Assembly Bill No. 730.

So ordered.

Assembly Bill No. 730—An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation 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. Aldridge, Anderson, Bettman, Boone, Bridgford, Burnham, Caminetti, Cartwright, Clarke, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Goff, Harris, Hill, Houghton, Hudson, Jones, Kelly, Lacy, Landsborough, Lindenberger, Mead, Melick, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Soward, Strain, Toland, Valentine, Waymire, and Mr. Speaker—46.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Speaker Coombs was granted leave of absence for this evening.

RESOLUTIONS.

By Mr. Waymire:

Resolved, That the following numbered Senate bills be referred to the Judiciary Committee for their consideration, as neither the said bills nor any Assembly bills on the identical subject have been favorably reported upon by the committee: Senate Bills Nos. 8, 111, 126, Substitutes for Senate Bills Nos. 42, 161, 150, 285, 141, and 399.

Adopted.

By Mr. Jones:

Resolved, That the Committee on Military Affairs of this House be and they hereby are granted leave of absence to visit San Francisco, by request of Brigadier-General Warfield, for the purpose of inspecting a portion of the First Brigade of the National Guard, the same having been ordered out for the purpose of inspection by said committee and the Commander-in-Chief on Monday, February 22d, Washington's Birthday, and that statutory mileage be allowed for the entire expenses thereof.

Lost.

RECESS.

At four o'clock and forty minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and thirty-five minutes P. M.

Quorum present.

The Speaker and Speaker pro tem. being absent, Chief Clerk Duckworth called the Assembly to order, and announced that the first business in order was the election of a Speaker for the evening.

Mr. Cross nominated Mr. Pohlmann for Speaker of the evening.

There being no other nominations, Mr. Pohlmann was duly elected.

SPECIAL URGENCY FILE.

Assembly Bill No. 827—An Act to amend Section 3664 of the Political Code, as amended by an Act approved March 9, 1883, and Section 3665 of the Political Code, as amended by an Act approved March 31, 1891.

Read second time, ordered considered engrossed, and to third reading.

Assembly Bill No. 706—An Act authorizing the Clerk of the Supreme Court to furnish his office, and make an appropriation therefor.

Read second time.

Assembly Bill No. 250—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant-Governor Millard.

Read second time.

Assembly Bill No. 262—An Act making an appropriation to pay the claim of Geo. E. Lawrence, for services rendered the State of California, at the funeral of the late Lieutenant-Governor Millard.

Read second time.

Assembly Bill No. 288—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building and furniture, etc.

Read second time.

Assembly Bill No. 244—An Act making an appropriation to pay the claim of the Examiner, for advertising the constitutional amendments.

Read second time.

Assembly Bill No. 679—An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and providing for the deposit of district records with County Recorders, and prescribing the effect to be given to recordation of notices of location and affidavits.

Read second time, ordered considered engrossed, and to third reading.

Assembly Bill No. 769—An Act to amend Section 1159 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to recording of certain instruments and validating records heretofore made.

Read second time, ordered considered engrossed, and to third reading.

Assembly Bill No. 646—An Act making an appropriation to pay the claim of James V. Hicks, for expenses incurred in going to New York after A. L. Gibbs, a fugitive from justice.

Read second time.

Assembly Bill No. 66—An Act to enable cities incorporated and operating under a charter framed under Section 8, Article XI, of the Constitution, to abandon and annul such charter, and organize under general laws.

The following amendment was submitted:

Strike out of line 5, after the word "therefor," down to and including the words "of such city," in line 6, and insert the following in lieu thereof: "by ordinance to submit to the qualified electors of such city at any general election."

Adopted.

Assembly Bill No. 66 read second time, ordered to printer, engrossment, and third reading.

Assembly Bill No. 385—An Act to amend Section 2643 of the Political Code, relating to the duties of Boards of Supervisors, respecting roads.

Read second time, ordered considered engrossed, and to third reading.

Assembly Bill No. 623—An Act to amend Sections 350, 351, and 354 of the Penal Code of the State of California, relating to the punishment of counterfeiting trademarks, and the sale of goods bearing counterfeited trademarks, and other infringement of the rights of trademarks.

Read second time, ordered considered engrossed, and to third reading.

Assembly Bill No. 783—An Act to amend Section 2737 of the Political Code, relating to bridges and highways, and the construction of bridges over ditches and across highways. (Substitute for Assembly Bill No. 196.)

Read second time, ordered considered engrossed, and to third reading.

Assembly Bill No. 15—An Act to appropriate $1,535 25 to pay the claim of W. W. Foote and Garret W. McEnerney for legal services rendered and expenses incurred by them in that certain action commenced in and decided by the Supreme Court of the State of California, and which was therein entitled "The People of the State of California, on the relation of John C. Lynch, Petitioners, vs. James H. Budd, Respondent," and numbered S. F. No. 600.

Read second time.

Assembly Bill No. 813—An Act to add a new section to the Civil Code, to be known as Section 431 thereof, relating to the form of fire insurance policies.

Read second time, ordered considered engrossed, and to third reading.

Mr. Cutter moved that the House resolve itself into Committee of the Whole, with Mr. Pohlmann in the chair, for the purpose of considering Assembly Bills Nos. 706, 250, 262, 288, 244, 646, and 15.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Pohlmann in the chair.

Assembly Bills Nos. 706, 250, 262, 288, 244, 646, and 15 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Pohlmann in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: Your Committee of the Whole have had under consideration Assembly Bill No. 706—An Act authorizing the Clerk of the Supreme Court to furnish his office, and make an appropriation therefor.

Also: Assembly Bill No. 250—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant-Governor Millard.

Also: Assembly Bill No. 262—An Act making an appropriation to pay the claim of George E. Lawrence, for services rendered the State of California at the funeral of the late Lieutenant-Governor Millard.

Also: Assembly Bill No. 288—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building and furniture, etc.

Also: Assembly Bill No. 244—An Act making an appropriation to pay the claim of the Examiner, for advertising the constitutional amendments.

And now report the same back, and recommend that the same do pass.

Also: Assembly Bill No 646—An Act making an appropriation to pay the claim of James V. Hicks, for expenses incurred in going to New York after A. L. Gibbs, a fugitive from justice.

Also: Assembly Bill No. 15—An Act to appropriate $1,535 25 to pay the claim of W. W. Foote and Garret W. McEnerney, for legal services rendered and expenses incurred by them in that certain action commenced in and decided by the Supreme Court of the State of California, and which was therein entitled "The People of the State of California, on the relation of John C. Lynch, Petitioners, vs. James H. Budd, Respondent," and numbered S F. No. 600.

Have had the same under consideration, and now report the same back with amendments, and recommend that they do pass as amended.

POHLMANN, Chairman.

Adopted.

Assembly Bill No. 646—An Act making an appropriation to pay the claim of James V. Hicks, for expenses incurred in going to New York after A. L. Gibbs, a fugitive from justice.

The following amendments were submitted:

Amend the title of the bill by striking out the words "for expenses incurred in going to New York after A. L. Gibbs, a fugitive from justice," and insert in lieu thereof the words "against the State of California."

Adopted.

Also: Amend line 2, section 1, by inserting after the word "appropriating" the words "out of any money in the state treasury not otherwise appropriated."

Adopted.

Also: Amend lines 3 and 4, Section 1, by striking out the words "for expenses incurred in going to New York after A. L. Gibbs, a fugitive from justice," and insert in lieu thereof the words "against the State of California."

Adopted.

Assembly Bill No. 646 ordered to printer, engrossment, and third reading.

Assembly Bill No. 15—An Act to appropriate $1,535 25 to pay the claim of W. W. Foote and Garret W. McEnerney, for legal services rendered and expenses incurred by them in that certain action commenced in and decided by the Supreme Court of the State of California, and which was therein entitled "The People of the State of California, on the relation of John C. Lynch, Petitioners, vs. James H. Budd, Respondent," and numbered S. F. No. 600.

The following amendment was submitted:

Amend by inserting in Section 1, line 12, the word "board" between the words "State" and "of."

Adopted.

Assembly Bill No. 15 ordered to printer, engrossment, and third reading.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1897

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed: Assembly Bill No. 63—An Act to amend an Act approved March 26, 1895, entitled "An Act to create and administer a public school-teachers' annuity and retirement fund in the several counties, and cities and counties, in the State.

Also: Assembly Bill No 200—An Act to amend Sections 925, 928 of the Penal Code of the State of California, and add a new section to said Code, to be known as Section 929, relating to grand juries, their powers and duties.

LEAVITT, Acting Chairman.

Assembly Bills Nos. 706, 250, 262, 288, and 244 were ordered considered engrossed, and on file for third reading.

Mr. Cutter moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Arnerich, Belshaw, Bettman, Boone, Burnett, Burnham, Caminetti, Chynoweth, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Godfrey, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Lacy, Landsborough, Leavitt, Malcolm, Mead, Melick, Mulcrevy, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Robinson, Rubell, Ryan, Soward, Strain, Toland, Treacy, Vosburg, Waymire, and Wright.

The Speaker issued warrants for the following members: Messrs. Anderson, Bridgford, Cartwright, Clarke, Dennery, Fontana, Gately, Goodhue, Kelly, Kenyon, Lindenberger, McCandlish, McClellan, McGrath, McLaurin, Power of Placer, Price, Sanford, Sims, Shanahan, Stansell, and Valentine, who were absent without leave, and ordered the Sergeant-at-Arms to bring them before the bar of the House.

Messrs. Clarke, Price, Shanahan, Dennery, and Sims were brought before the bar of the House by the Sergeant-at-Arms, and excused.

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

So ordered.

RESOLUTION—(CASES OF URGENCY).

By Mr. Cutter:

Resolved, That Assembly Bills Nos 827, 706, 250, 262, 288, 244, 679, 769, 385, 783, 623, and 813, and each of them, present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills and each of them be read the third time, and placed upon their passage.

The question being on the adoption of the resolution.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Boone, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dolan, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Lacy, Landsborough, Leavitt, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sims, Shanahan, Soward, Strain, Toland, Vosburg, and Waymire—58.

NOES—Messrs. Godfrey and Treacy—2.

Assembly Bill No. 827—An Act to amend Section 3664 of the Political Code, as amended by an Act approved March 9, 1883, and Section 3665 of the Political Code, as amended by an Act 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. Aldridge, Allen, Anderson, Arnerich, Belshaw, Bettman, Boone, Burnett, Burnham, Caminetti, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Emmons, Ennis, Fontana, Foreman, Gately, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Landsborough, Leavitt, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sims, Soward, Strain, Toland, Vosburg, and Waymire—54.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Dryden was granted leave of absence for this evening.

CASES OF URGENCY—(RESUMED).

Assembly Bill No. 706—An Act authorizing the Clerk of the Supreme Court to furnish his office, 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. Aldridge, Arnerich, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Chynoweth, Cutter, Damon, Dibble, Elliott, Emmons, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Jones, Landsborough,

Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Sims, Soward, Strain, and Waymire—41.
NOES—Messrs. Allen, Anderson, Foreman, Gately, Godfrey, Keegan, McCandlish, McClellan, Rubell, Toland, and Treacy—11.

Title read and approved.

Assembly Bill No. 250—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant-Governor Millard.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Anderson, Arnerich, Boone, Burnett, Burnham, Caminetti, Chynoweth, Cross, Damon, Dibble, Dolan, Elliott. Emmons, Ennis, Fontana, Foreman, Gately, Goodhue, Guy, Henry, Hill, Hudson, Jones, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, North of Alameda, Pohlmann, Power of Placer, Robinson, Rubell, Sims Soward, Strain, Toland, and Waymire—42.
NOES—Messrs. Godfrey and Treacy—2.

Title read and approved.

Assembly Bill No. 262—An Act making an appropriation to pay the claim of Geo. E. Lawrence, for services rendered the State of California, at the funeral of the late Lieutenant-Governor Millard.

Read third time

The question being on the final passage of the bill.

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

AYES—Messrs. Arnerich, Belshaw, Boone, Burnett, Burnham, Caminetti, Chynoweth, Cross, Damon, Dibble, Dolan, Elliott, Emmons, Fontana, Gately, Goodhue, Guy, Henry, Hill, Houghton, Hudson, Jones, Lacy, Landsborough, Leavitt, Lindenberger, Mead, Melick, Mulcrevy McCandlish, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Rubell, Sims, Soward, Strain, Toland, Treacy, and Waymire—42.
NOES—Messrs. Anderson and Godfrey—2.

Title read and approved.

Assembly Bill No. 288—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building and furniture, etc.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Arnerich, Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Chynoweth, Cross, Damon, Dibble, Dolan, Elliott, Emmons, Fontana, Foreman, Goodhue, Guy, Henry, Hill, Houghton, Jones, Keegan, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mead, Melick, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Robinson, Rubell, Sims, Soward, Strain, Toland, and Waymire—42.
NOES—Messrs. Anderson, Gately, Godfrey, McCandlish, and Treacy—5.

Title read and approved.

Mr. Damon moved that Mr. Keegan be excused from voting on Assembly Bill No. 244.

Lost.

Assembly Bill No. 244—An Act making an appropriation to pay the claim of the Examiner, for advertising the constitutional amendments.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Arnerich, Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Chynoweth, Cross, Damon, Dibble, Dolan, Elliott, Ennis, Fontana, Foreman, Gately, Godfrey, Goodhue, Guy, Hill, Houghton, Jones, Keegan, Lacy, Landsborough, Leavitt,

Lindenberger, Mead, Melick, Mulcrevy, McCandlish, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Robinson, Rubell, Soward, Strain, Toland, Treacy, and Waymire—44.

NOES—None.

Title read and approved.

Assembly Bill No. 679—An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and providing for the deposit of district records with County Recorders, and prescribing the effect to be given to recordation of notices of location and affidavits.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Arnerich, Belshaw, Boone, Bridgford, Burnett, Chynoweth, Clarke, Cross, Damon, Dibble, Dolan, Elliott, Ennis, Fontana, Foreman, Gately, Godfrey, Goodhue, Guy, Henry, Hill, Houghton, Hudson, Jones, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Melick, Mulcrevy, McCandlish, McClellan, North of Alameda, Pohlmann, Power of Placer, Robinson, Rubell, Soward, Strain, Toland, Treacy, and Waymire—43.

NOES—Mr. Caminetti—1.

Title read and approved.

Assembly Bill No. 769—An Act to amend Section 1159 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to recording of certain instruments and validating records heretofore made.

Read third time.

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, Boone, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cross, Damon, Dibble, Dolan, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goodhue, Guy, Henry, Hill, Hudson, Jones, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Robinson, Rubell, Soward, Strain, Toland, Treacy, and Waymire—43.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Jones:

Resolved, That the Committee on Military Affairs is hereby granted leave of absence until Tuesday, to inspect the National Guard at San Francisco, with mileage.

Mr. Belshaw moved that the resolution be referred to the Committee on Commissions, Retrenchment, and Public Expenditures.

So ordered.

LEAVE OF ABSENCE.

Mr. Goodhue was granted a leave of absence until Wednesday noon.

CASES OF URGENCY—(RESUMED).

Assembly Bill No. 385—An Act to amend Section 2643 of the Political Code, relating to the duties of Boards of Supervisors, respecting roads.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Anderson, Arnerich, Belshaw, Boone, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goodhue, Guy, Henry, Houghton, Hudson, Keegan, Lacy,

Landsborough, Melick, Mulcrevy, McCandlish, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Robinson, Rubell, Soward, Strain, Toland, Treacy, and Waymire—42.

NOES—None.

Title read and approved.

ADJOURNMENT.

At ten o'clock and thirty minutes P. M., on motion of Mr. Dennery, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 19, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Boone, Bridgford, Burnett Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Ryan, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Wednesday, February 17th, was approved as corrected.

REPORTS OF STANDING COMMITTEES.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1897.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 852—An Act to require all persons owning or holding land fronting on county highways to maintain fences along the line thereof—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No 886—An Act to prevent the sale of short-weight rolls or packages of butter, and providing a penalty therefor—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. 876—An Act to regulate the business of commission merchants, agents, factors, or brokers, dealing in farm produce, grain, fruit, seeds, honey, or dairy products.

Also: Assembly Bill No. 727—An Act entitled an Act to form agricultural districts, to provide for formation of agricultural associations therein, and for the management

and control of the same by the State, and to repeal all Acts and parts of Acts in conflict with this Act.

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

PRICE, Chairman.

Assembly Bills Nos. 852, 886, 876, and 727 placed on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 137—An Act to amend the Political Code of California by adding a new section, to be known as Section 2644, relating to Road Commissioners.

Also: Assembly Bill No. 666—An Act to amend Section 388, Civil Code of the State of California, relative to the sale of a franchise to collect tolls.

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

CLARKE, Chairman.

Senate Bill No. 137 and Assembly Bill No. 666 placed on file for second reading.

ON FRUIT AND VINE INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR. SPEAKER: Your Committee on Fruit and Vine Interests, to whom was referred Senate Bill No. 100—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887, to provide the penalty therefor, and appropriating money to enforce the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ANDERSON, Chairman.

Senate Bill No. 100 referred to Committee on Ways and Means.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 182—An Act to authorize any city, or city and county, of this State to take its census—and presented the same to the Governor on this day, at three o'clock and fifteen minutes P. M.

FONTANA, Chairman.

SPECIAL ORDERS.

Assembly Bill No. 796—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 bonds.

Read second time.

The following amendments were submitted:

COMMITTEE AMENDMENT No. 1.

In the first line of the title of the printed bill, strike out the comma after the word "sale."

Adopted.

COMMITTEE AMENDMENT No. 2.

In Section 1, line 7, of the printed bill, at the beginning thereof, before the word "and" and after the word "eighty-seven," in the preceding line, insert the words "or said Act."

Also: In same section and line, after the word "thereto," and before the word "amendatory," substitute the word "or" for the word "and."

Adopted.

COMMITTEE AMENDMENT No. 3.

In Section 2, line 2, of the printed bill, at the end of said line, after the word "district," insert the following: "subject to assessment."
Also: In line 6 of same section change the word "refunding" to "funding."
Also: In line 9 of same section change the word "purpose" to "purposes."

Adopted.

COMMITTEE AMENDMENT No. 4.

In Section 3, line 6, of the printed bill, after the word "district," insert a comma.
Also: In line 9 of the same section, after the word "funded," insert the following: "together with a general description of the same."
Also: In line 11 of the same section substitute the word "and" for the word "or."

Adopted.

COMMITTEE AMENDMENT No. 5.

In Section 4, line 15, of the printed bill, after the word "held," strike out the comma.
Also: In line 14, of same section, after the word "funded" and before the word "said," insert the following: "except as herein otherwise provided."
Also: In line 23 of same section, after the word "yes" and before the word "bonds," substitute the word "or" for the word "and."

Adopted.

COMMITTEE AMENDMENT No. 6.

In Section 6, line 4, of the printed bill, substitute the words "assessment-payer" for the word "taxpayer."
Also: In line 5 of same section substitute the word "wherein" for the word "where."

Adopted.

COMMITTEE AMENDMENT No. 7.

In Section 7, line 1, of the printed bill, substitute the word "shall" for the word "may," and strike out all of said section after the word "proceedings," in the second line.

Adopted.

COMMITTEE AMENDMENT No. 8.

In Section 10, line 1, of the printed bill, change said line to read as follows: "No contest of any matter or thing herein provided for shall," etc.

Adopted.

COMMITTEE AMENDMENT No. 9.

In Section 11, line 8, of the printed bill, after the word "all," insert the word "shall." At the end of said section, after the word "issue," add "except as herein otherwise provided."

Adopted.

COMMITTEE AMENDMENT No. 10.

In Section 12, line 2, of the printed bill, after the word "provided," insert a comma, the word "for" immediately following.

Adopted.

COMMITTEE AMENDMENT No. 11.

In Section 13, line 4, of the printed bill, after the word "bond," substitute a period for the comma, and beginning with the word "and," strike out the balance of the sentence ending with the word "provided," at the end of line 6.

Adopted.

COMMITTEE AMENDMENT No. 12.

In Section 14, line 2, of the printed bill, after the word "may" and before the word "sell," strike out the words "order the Treasurer to"
Also: In line 17, of same section, substitute the word "or" for the word "and."
Also: In line 23, of same section, substitute the word "or" for the word "and."

Adopted.

COMMITTEE AMENDMENT No. 13.

In Section 15, line 10, of the printed bill, after the word "law," insert the words "then in force."

Adopted.

COMMITTEE AMENDMENT No. 14.

In Section 16, line 4, of the printed bill, change the word "refunding" to "funding."

Adopted.

COMMITTEE AMENDMENT No. 15.

In Section 17, lines 1 and 2, of the printed bill, strike out the words "board of directors," and insert in lieu thereof the word "treasurer."

Also: In line 7, same section, change the word "refunding" to "funding"; substitute the word "cause" for the word "destroy", after the word "same," insert the following: "to be destroyed and a record to be made thereof."

Adopted.

COMMITTEE AMENDMENT No. 16.

Strike out all of Section 18 of printed bill.

Lost.

COMMITTEE AMENDMENT No. 17.

Section 19 shall be numbered Section 18.

Lost.

By Mr. Boone:

Amend by striking out of Section 18, line 4, the words "for which they may be exchanged," and inserting the following: "regularly issued and sold under existing laws."

Adopted.

Also: Amend by striking out of the title, on next to the last line, the word "and," adding to the title the following: "and for proceedings to test the validity of the same."

Adopted.

Assembly Bill No. 796 ordered to printer, reëngrossment, and third reading.

Mr. Boone moved that Assembly Bill No. 796 be made a special order for next Tuesday.

So ordered.

Assembly Bill No. 452—An Act to amend Section 626 of the Penal Code, relating to fish and game.

The following Senate amendments were submitted:

Amend Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 by inserting after the number of the section sought to be amended or repealed, in each, the words "of the Penal Code."

Adopted.

Also: Insert, between "destroy" and "the," "or offer for sale."

Adopted.

Also: In line 49 insert, between "jail" and "in," "in the county."

Adopted.

Also: Amend by adding, in Section 1, line 7, after the word "duck," the words "except canvasback or bluebill."

Adopted.

Also: In line 30, after the word "duck," add the following: "except canvasback and bluebill."

Adopted.

Also: Amend by inserting in Section 1, line 20, after the word "canary," the words "meadow lark."

Lost.

Also: Amend by striking out of Section 1, line 7, the following words, to wit: "except canvasback or bluebill."

Adopted.

Also: Strike out of Section 1, line 57, "or within."

Adopted.

Also: Strike out of Section 1, line 3, "fifteenth," and insert "first."

Adopted.

Also: In line 4, same section, strike out "February," and insert "March."

Adopted.

Also: Strike out of Section 1, line 4, "fifteen," and insert "first."

Adopted.

The Clerk was instructed to transmit Assembly Bill No. 452 to the Senate, advising them of the action of the Assembly, and asking them to recede from the amendment to Section 1, line 20, which inserts after the word "canary" the words "meadow lark."

INTRODUCTION OF BILLS.

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

By Mr. Wright: Assembly Bill No. 930—An Act to provide for the establishing and maintenance of public lights in sanitary districts.

Read first time.

Referred to Committee on Public Health and Quarantine.

By the Committee on Commissions, Retrenchment, and Public Expenditures: Assembly Bill No. 931—An Act to amend Sections 332 and 334 of the Political Code, relating to reports of State officers and commissions, and the printing thereof.

Read first time, and placed on file for second reading.

By Mr. Toland: Assembly Bill No. 932—An Act making an appropriation to pay the claim of Charles W. Metcalf against the State of California.

Read first time, and referred to Committee on Claims.

By Mr. Treacy: Assembly Bill No. 933—An Act to prohibit the use of machinery driven by other power than manual labor, for manufacturing purposes in any prison in the State.

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

Also Assembly Bill No. 934—An Act to amend an Act entitled an Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, amended March 14, 1889, also March 17, 1891, also March 9, 1893, and also March 11, 1893.

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

By Mr. Waymire: Assembly Bill No. 935—An Act to provide for the correction of omissions or irregularities in the authorization, issuance, sale, or transfer of bonds, coupons, or other evidences of indebtedness by 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.

Read first time, and referred to Committee on Irrigation.

MOTIONS.

Mr. Canavan moved that Assembly Concurrent Resolution No. 7 be withdrawn from the Committee on Judiciary and re-referred to Committee on Ways and Means.

Adopted.

Mr. Treacy moved that the rules be suspended and Assembly Joint Resolution No. 27 made the special order for to-morrow.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1897.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 546—An Act requiring manufacturers to stamp upon their products or manufactured wares an indication of the kind of labor employed therein, and the place of manufacture, and fixing a penalty for violation thereof.

Also: Assembly Bill No. 547—An Act to compel employers to furnish medical and surgical attendance to employés injured during working hours in mills, factories, shipyards, foundries, and other places where machinery is used.

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

DENNERY, Chairman.

Assembly Bill No. 546—An Act requiring manufacturers to stamp upon their products or manufactured wares an indication of the kind of labor employed therein, and the place of manufacture, and fixing a penalty for violation thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 547—An Act to compel employers to furnish medical and surgical attendance to employés injured during working hours in mills, factories, shipyards, foundries, and other places where machinery is used.

Read first time, and placed on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Substitute for Senate Bill No. 17—An Act to amend 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—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WAYMIRE, Chairman.

Substitute for Senate Bill No. 17 ordered on file for second reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Shanahan:

Resolved, That all standing committees of the Assembly are hereby ordered to report back forthwith all bills which have been in their possession more than ten days.

Lost.

MOTION.

Mr. Landsborough called up for consideration the following report of the Committee on Attachés and Employés, and moved its adoption:

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1897.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred resolution by Mr. Caminetti:

WHEREAS, Under the laws of California preference is directed to be given to ex-soldiers and sailors of the Union in the employment of certain officers and assistants in the public service;

WHEREAS, The same preference should be given to sons and daughters of such thereof who have lost their lives in the defense of the country; therefore, be it

Resolved, That Mrs. Sue Porter Carpenter be and hereby is appointed Assistant Janitress of the ladies' waiting-room, at a per diem of $4, payable out of the Contingent Fund of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted, and that her pay commence from February 2, 1897.

VOSBURG, Chairman.

Report and resolution adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 156—An Act making an appropriation to pay the claim of Ernest Weyand, District Attorney of Colusa County, California, for moneys expended in behalf of the State of California, for foreclosing State school lands in Colusa County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUY, Chairman.

Assembly Bill No. 156—An Act making an appropriation to pay the claim of Ernest Weyand, District Attorney of Colusa County, for moneys expended in behalf of the State of California, for foreclosing State school lands in Colusa County, State of California.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 875—An Act to create a commission for the purpose of examining, testing, and investigating voting machines, and reporting to the Legislature at its thirty-third session the result of such investigation, and making an appropriation for the expenses of such commission.

Also: Assembly Bill No. 887—An Act to appropriate money for the uses of the State Board of Horticulture.

Also: Assembly Bill No. 902—An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employés thereof, and to provide for the compensation of said officers and employés, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year.

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

GUY, Chairman.

Assembly Bills Nos. 875, 887, and 902 ordered on file for second reading.

MOTIONS.

Mr. Valentine moved that the Assembly do now adopt the report of the Committee on Rules and Regulations, submitted on yesterday.

So ordered.

Mr. Valentine moved that the rules be suspended, and the Assembly do now take up the special file.

So ordered.

LEAVE OF ABSENCE.

Mr. North, of Alameda, was granted leave of absence for the day.

SPECIAL FILE.

Senate Bill No. 463—An Act to amend Section 1114 of the Political Code of the State of California, relating to registration.

Read second time, and ordered on file for third reading.

Assembly Bill No. 314—An Act to provide for the election of members of the governing committee or body of the respective political parties, associations, or organizations, to promote the purity of said elections by regulating the conduct thereof, and to prohibit certain acts and practices in relation to the privilege of free suffrage, and to provide for the punishment thereof.

Mr. Dibble moved that the enacting clause be stricken out of Assembly Bill No. 314.

Motion lost.

Bill passed on file.

Assembly Bill No. 779—An Act to amend Section 1094 of the Political Code, relating to the registration of electors.

Passed on file.

Assembly Bill No. 329—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 practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Passed on file.

Assembly Bill No. 354—An Act entitled an Act to amend Section 1196 of the Political Code, relating to elections.

Passed on file.

Assembly Bill No. 178—An Act to amend Sections 1204 and 1230 of the Political Code of the State of California, relating to precinct registration and challenging of voters.

Passed on file.

Assembly Bill No. 847—An Act to provide for the transfer from Whittier State School, at Whittier, of the girls heretofore committed thereto under the laws of this State, and for their maintenance and care, as well as that of such other girls as shall be hereafter so committed under said law, and to establish, maintain, and locate, in the County of Santa Clara, State of California, on that certain tract of land belonging to the State of California, and heretofore used by the California Home for the Care and Training of Feeble-Minded Children, in the town of Santa Clara, in said county, an institution for the discipline, education, employment, reformation, and protection of female juvenile delinquents,

to be known as "The Santa Clara State School," and to make an appropriation therefor.

Read second time.

Mr. Arnerich moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 847.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 847 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 847—An Act to provide for the transfer from Whittier State School, at Whittier, of the girls heretofore committed thereto under the laws of this State, and for their maintenance and care, as well as that of such other girls as shall be hereafter so committed under said law, and to establish, maintain, and locate, in the County of Santa Clara, State of California, on that certain tract of land belonging to the State of California, and heretofore used by the California Home for the Care and Training of Feeble-Minded Children, in the town of Santa Clara, in said county, an institution for the discipline, education, employment, reformation, and protection of female juvenile delinquents, to be known as "The Santa Clara State School," and to make an appropriation therefor—and now report to the House, and recommend that the same do pass as amended.

COOMBS, Chairman.

Adopted.

The following amendment was submitted by the committee:

Amend printed bill by striking out all of Section 11, and renumbering the following sections to read 11, 12, 13, 14, and 15.

Adopted.

Assembly Bill No. 847 ordered to printer, reëngrossment, and third reading.

Assembly Bill No. 187—An Act appropriating the sum of $5,000 for repairs and improvements in the State Normal School at Los Angeles, California.

Read second time.

Mr. Valentine moved that the Assembly do now resolve itself into Committee of the Whole, with Speaker Coombs in the chair, for the purpose of considering Assembly Bill No. 187.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 187 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 187—An Act appropriating the sum of $5,000 for repairs and improvements in the State Normal School at Los Angeles, California—and now report the same back, and recommend that the same do pass.

COOMBS, Chairman.

Adopted.

Assembly Bill No. 187 ordered to printer, engrossment, and third reading.

Assembly Constitutional Amendment No. 19—To amend Section 12, Article XIII, by providing that persons voting at a general election shall be exempt from the payment of poll tax.

The following amendments were submitted:

By Mr. Mead:

Amend by adding at end of Section 12, "said tax shall be paid into State School Fund."

Adopted.

By the committee:

Amend Section 12 by striking out all of said section after the word "*provided*," line 5, of printed amendment, and inserting the following words: "that every person who votes at a general election, at which State officers or Presidential Electors are voted for, shall be exempt from said poll tax for the next succeeding two years after said election."

Adopted.

Assembly Constitutional Amendment No. 19 ordered to printer.

Assembly Constitutional Amendment No. 26—Proposed amendment to Section 1, Article II, of the Constitution, relative to the right of suffrage.

Passed on file.

Mr. Guy moved that the Assembly do now take up Assembly Constitutional Amendment No. 23.

So ordered.

Mr. Cutter moved that the hour of recess be extended thirty minutes.

So ordered.

Assembly Constitutional Amendment No. 23—Proposition to amend the Constitution by striking out Sections 22 and 23 of Article XII, relating to a Railroad Commission.

The previous question was demanded by Messrs. Mead, Boone, and Ennis.

The question being, "Shall the main question be now put?"

So ordered.

The question being upon the adoption of Assembly Constitutional Amendment No. 23.

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

AYES—Messrs. Anderson, Arnerich, Belshaw, Bettman, Burnett, Burnham, Canavan, Cross, Cutter, Damon, Dennery, Ennis, Fontana, Foreman, Hill, Houghton, Hudson, Keegan, Kenyon, Leavitt, Melick, McClellan, McLaurin, Price, Sims, Strain, and Valentine—27.

NOES—Messrs. Aldridge, Allen, Boone, Bridgford, Cartwright, Chynoweth, Clarke, Dibble, Dolan, Dryden, Elliott, Emmons, Godfrey, Jones, Landsborough, Lindenberger, Mead, Mulcrevy, McCandlish, McGrath, North of Yolo, Power of Placer, Rubell, Sanford, Shanahan, Toland, Treacy, Waymire, and Mr. Speaker—29.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 187—An Act appropriating the sum of $5,000 for repairs and improvements in the State Normal School at Los Angeles, California.

LEAVITT, Acting Chairman.

Mr. Dibble moved that the second-reading file be made special order for this evening.

So ordered.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Shanahan: Assembly Bill No. 936—An Act to provide for the levy and collection of an income tax.

Read first time, and referred to Committee on Judiciary.

RECESS.

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

REASSEMBLED.

The Assembly reassembled at two o'clock and ten minutes P. M.

Speaker pro tem. Kenyon in the chair.

Quorum present.

MOTION.

Mr. Clarke moved that the special order for two o'clock P. M. to-day, consisting of Assembly Bills Nos. 902, 903, 904, and 905 be made the special order for next Tuesday, February 23d, immediately after the reports of committees.

So ordered.

SENATE SPECIAL FILE.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Passed on file.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 859—An Act to amend an Act entitled "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 and watercourses, 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," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 789—An Act to amend Section 309 of the Civil Code of California, relating to the liability of directors of corporations, and providing for the enforcement of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CUTTER, Chairman.

Assembly Bills Nos. 789 and 859 placed on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1897.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 30—Proposed Constitutional Amendment,

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. 25—have had the same under consideration, and respectfully report a substitute for the same, and recommend that the substitute be adopted, and further advise that the author of said Constitutional Amendment No. 25 be permitted to withdraw the same.

SIMS, Chairman.

Assembly Constitutional Amendment No. 25 withdrawn by author.

Assembly Constitutional Amendment No. 30 placed on file.

INTRODUCTION OF CONSTITUTIONAL AMENDMENT—(OUT OF ORDER).

By Committee on Constitutional Amendments: Assembly Constitutional Amendment No. 40—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.

Ordered on file.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 145—An Act to amend Section 475 of the Code of Civil Procedure of the State of California, relating to errors and defects and reversals of judgments and orders.

Mr. Dibble moved that Senate Bill No. 145 be passed on file and that five hundred copies of the bill be printed, as amended in the House, and delivered at the Clerk's desk.

So ordered.

Senate Bill No. 369—An Act to amend Section 1213 of the Civil Code of the State of California, relative 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. Aldridge, Allen, Anderson, Belshaw, Boone, Burnham, Canavan, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Emmons, Ennis, Fontana, Foreman, Harris, Hill, Houghton, Hudson, Jones, Kenyon, Lacy, Landsborough, Lindenberger, Mead, Melick, McCandlish, McClellan, McGrath, North of Alameda, Pohlmann, Power of Placer, Price, Rubell, Sanford, Sims, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, and Wright—46.

NOES—None.

Title read and approved.

Senate Bill No. 113—An Act to amend Section 685 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.

Senate Bill No. 155—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.

Passed on file.

Senate Bill No. 186—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the western 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.

Refused third reading.

Senate Bill No. 63—An Act to amend Section 5 of 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, approved March 27, 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. Aldridge, Allen, Anderson, Arnerich, Belshaw, Boone, Burnham, Caminetti, Canavan, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Emmons, Ennis, Foreman, Godfrey, Guy, Harris, Hill, Houghton, Hudson, Jones, Kelly, Kenyon, Landsborough, Lindenberger, Mead, Melick, McCandlish, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Soward, Strain, Toland, Treacy, Vosburg, and Waymire—48.

NOES—None.

Title read and approved.

Senate Bill No. 2—An Act providing for the destruction of municipal bonds of cities of the fifth class, where the same have been executed and remain unsold.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Belshaw, Bridgford, Burnett, Burnham, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Emmons, Ennis, Foreman, Godfrey, Goff, Guy, Harris, Hill, Houghton, Hudson, Jones, Kelly, Kenyon, Lacy, Landsborough, Lindenberger, Mead, Melick, McCandlish, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Price, Rubell, Soward, Stansell, Strain, Toland, Treacy, Valentine, Waymire, and Wright—50.

NOES—None.

Title read and approved.

Senate Bill No. 57—An Act to regulate and govern the operation of the rock-crushing plant at the State Prison at Folsom to provide for the sale of crushed rock and the disposition of the revenues derived therefrom.

Read third time.

Mr. Anderson moved that a select committee of one be appointed by the Speaker to make the following amendment:

Strike out all of Section 4 and insert the following: "The sale price of all crushed rock for county road purposes shall be the cost of production delivered on board cars or other vehicles of transportation at the rock-crushing plant. The sale price of all crushed rock sold for other than county road purposes shall be the cost of production, with twenty per centum added, delivered on board cars or other vehicles of transportation, at the rock-crushing plant; *provided*, that no crushed rock shall be sold for other than county road purposes for a less price than forty cents per ton; *provided further*, that all orders for crushed rock for county road purposes shall be filled first, regardless of the date of the receipt of other orders."

So ordered.

The Speaker appointed Mr. Anderson such select committee of one to amend Senate Bill No. 57.

PREVIOUS QUESTION.

Pending consideration, the previous question was demanded by Messrs. North of Alameda, Cutter, and North of Yolo.

The question being, "Shall the main question be now put?"

Lost.

Mr. North moved that the hour for considering the Senate special file be extended thirty minutes.

So ordered.

At four o'clock P. M., Speaker Coombs resumed the chair.

MOTION.

Mr. Cutter moved that the House do now take a recess until seven o'clock and thirty minutes P. M.

The ayes and noes were demanded by Messrs. Canavan, Anderson, and McCandlish.

The roll was called, and the motion to take a recess lost by the following vote:

AYES—Messrs. Arnerich, Bridgford, Burnett, Burnham, Caminetti, Cutter, Dryden, Ennis, Foreman, Guy, Hill, Houghton, Keegan, Kenyon, Landsborough, McLaurin, North of Alameda. Price, Robinson, Rubell, Sims, Soward, Stansell, and Wright—24.

NOES—Messrs. Aldridge, Allen, Anderson, Belshaw, Boone, Canavan, Chynoweth, Clarke, Cross, Dennery, Dibble, Dolan, Elliott, Emmons, Godfrey, Henry, Hudson, Lindenberger, Melick, McCandlish, McClellan, McGrath, Power of Placer, Power of San Francisco, Sanford, Shanahan, Strain, Toland, Treacy, Valentine, and Mr. Speaker—31.

PREVIOUS QUESTION.

Pending consideration, the previous question was demanded by Messrs. Dibble, Emmons, and Bridgford.

The question being, "Shall the main question be now put?"

The ayes and noes were demanded by Messrs. Godfrey, Dolan, and Canavan.

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

AYES—Messrs Allen, Anderson, Belshaw, Boone, Burnett, Caminetti, Canavan, Clarke, Cross, Dennery, Dibble, Dolan, Dryden, Emmons, Godfrey, Henry, Hudson, Jones, Kenyon, Lacy, Lindenberger, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Ryan, Sanford, Shanahan, Treacy, Valentine, Waymire, Wright, and Mr. Speaker—38.

NOES—Messrs. Bridgford, Burnham, Cutter, Elliott, Ennis, Fontana, Foreman, Guy, Hill, Houghton, Keegan, Landsborough, Robinson, Rubell, Sims, Soward, Stansell, and Toland—18.

The question being on the motion of Mr. Anderson to refer to a select committee of one to amend Senate Bill No. 57.

The ayes and noes were demanded by Messrs. Cutter, Godfrey, and Dennery.

The roll was called, and the motion to appoint a select committee of one adopted by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Boone, Burnett, Caminetti, Canavan, Chynoweth, Clarke, Cross, Dibble, Dolan, Dryden, Ennis, Godfrey, Henry, Jones, Kenyon, Lindenberger, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Ryan, Shanahan, Strain, Toland, Treacy, and Mr. Speaker—35.

NOES—Messrs. Arnerich, Belshaw, Bridgford, Burnham, Cutter, Dennery, Elliott, Fontana, Foreman, Guy, Hill, Houghton, Hudson, Keegan, Landsborough, Malcolm, North of Alameda, Robinson, Rubell, Sims, Soward, Stansell, Valentine, Waymire, and Wright—25.

Mr. Anderson was appointed such select committee of one.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 57—An Act to regulate and govern the operation of the rock-crushing plant at the State

Prison at Folsom, to provide for the sale of crushed rock and the disposition of the revenues derived therefrom—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.

ANDERSON, Committee.

Report adopted.

Senate Bill No. 57 ordered to printer.

INTRODUCTION OF BILLS, ETC.—(OUT OF ORDER).

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

By the Committee on Ways and Means: Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California for the forty-ninth and fiftieth fiscal years.

Read first time, and placed on file for second reading.

By Mr. Caminetti: Assembly Bill No. 938—An Act to provide for the auditing of claims of the Superintendent of State Printing, the purchase of supplies, the examination of accounts and books relating to State printing, and employment of an expert printer by the Board of Examiners, and providing for his compensation.

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

Also: Assembly Bill No. 939—An Act to provide for an auditing board, to regulate the purchase of supplies by the Superintendent of State Printing, to consider the accounts of the State Printing Office, to regulate the office, to provide for the employment of a printing expert, and making an appropriation for his salary.

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

By Mr. Dibble: Assembly Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to Section 34 of Article IV of the Constitution of the State of California.

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

By Mr. Kenyon: Assembly Bill No. 940—An Act to amend subdivision 16 of Section 2955 of the Civil Code of California, relating to the mortgaging of personal property.

Read first time, and referred to Committee on Judiciary.

By Mr. Bridgford: Assembly Bill No. 941—An Act granting unto Lake County, State of California, that certain body of water, situated within the territorial limits of said county, known as Clear Lake, together with that portion of the outlet of said lake, situated within the territorial limits of said county, known as Cache Creek.

Read first time, and referred to Committee on Judiciary.

LEAVE OF ABSENCE.

Mr. Belshaw was granted leave of absence for this evening.

Messrs. Foreman and Dennery were granted leave of absence for to-morrow.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Shanahan: Assembly Bill No. 942—An Act to provide for the auditing and examination of the claims against the State of soldiers who served in the Indian wars in California, during the years from

1847 to 1857, to authorize the Adjutant-General to appoint a clerk for that purpose, and making an appropriation for his salary.

Read first time, and referred to Committee on Claims.

MESSAGES FROM THE SENATE—(OUT OF ORDER).

SENATE CHAMBER, SACRAMENTO, February 19, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 18th day of February refused to order to third reading Assembly Bill No. 456—An Act to amend Section 691 of the Code of Civil Procedure.

Also: Refused second reading to Assembly Bill No. 458—An Act to amend Section 868 of the Code of Civil Procedure.

Also: That the Senate on February 19th passed Assembly Bill No. 76—An Act to amend Section 261 of the Penal Code of the State of California, relating to the crime of rape and what constitutes the same.

Also: Assembly Bill No. 419—An Act to amend Section 542 of the Code of Civil Procedure.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Assembly Bills Nos. 76 and 419 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 19, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 19th day of February passed Committee Substitute for Senate Bill No. 133—An Act to amend an Act entitled "An Act amendatory of an Act entitled an Act to amend an Act entitled an Act to protect and promote the horticultural interests of the State, approved March 14, 1881, approved March 19, 1889," approved March 31, 1891.

Also: Substitute for Senate Bill No. 65—An Act to regulate the erection of buildings and structures by the authorities of cities, counties, or cities and counties, and to regulate contracts relating thereto.

Also: Senate Bill No. 15—An Act to amend Section 690 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.

Also: Senate Bill No. 246—An Act to amend paragraph 11, Section 200, of the Code of Civil Procedure of the State of California, relating to exempting exempt firemen from jury duty.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Committee Substitute for Senate Bill No. 133—An Act to amend an Act entitled an Act amendatory of an Act entitled an Act to amend an Act entitled "An Act to protect and promote the horticultural interests of the State, approved March 14, 1881, approved March 19, 1889," approved March 31, 1891.

Read first time, and referred to Committee on Agriculture.

Senate Bill No. 65—An Act to regulate the erection of buildings and structures by the authorities of cities, counties, or cities and counties, and to regulate contracts relating thereto.

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

Senate Bill No. 15—An Act to amend Section 690 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.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 246—An Act to amend paragraph 11, Section 200, of the Code of Civil Procedure of the State of California, relating to exempting exempt firemen from jury duty.

Read first time, and referred to Committee on Judiciary.

RESOLUTION—(OUT OF ORDER).

By Mr. Price:

Resolved, That the State Printer be and he is hereby directed to print one thousand extra copies of the General Appropriation Bill.

Adopted.

PETITION.

Mr. North, of Alameda, presented the following petition, and asked that it be published in the Journal.

So ordered.

To the honorable the members of the Assembly, in Legislature assembled, at Sacramento :

GENTLEMEN: The Point Lobos Improvement Club respectfully petitions that your honorable body do approve of Senate Bill No 33, known as the Torrens Land Bill. We would respectfully represent to you that said bill would be a great benefit to us, and the citizens of this city and State in general.

Most respectfully,

GEORGE R. FLETCHER, President.
WM. P. JOHNSON, Secretary.

MOTIONS.

Mr. Emmons made inquiry as to why Assembly Bill No. 336 had not been reported back from the Committee on Public Morals, in accordance with instruction of the Assembly.

Mr. North, of Alameda, moved that the Committee on Public Morals be given until next Wednesday to report Assembly Bill No. 336.

Mr. Dibble moved to amend the motion of Mr. North, instructing the committee to report the same back not later than next Wednesday morning.

The same was carried.

Motion as amended carried.

Mr. Vosburg moved that Assembly Bill No. 916 be re-referred from the Committee on Irrigation to the Committee on Swamp and Overflowed Lands and River Improvements.

So ordered.

At four o'clock and thirty minutes P. M., Mr. Emmons moved that the Assembly do now adjourn.

Lost.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC LANDS AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR. SPEAKER: Your Committee on Public Lands and Forestry, to whom was referred Senate Bill No. 370—An Act to amend Section 3495 of the Political Code, by adding a provision relative to adverse occupation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HARRIS, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 804—An Act to amend Section 1108 of the Penal Code of the State of California, relating to proof required upon a trial for the crime of abortion, seduction, and seduction under promise of marriage—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

H. T. POWER, Chairman.

Assembly Bill No. 804 placed on file for second reading.

RECESS.

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

REASSEMBLED.

The Assembly reassembled at seven o'clock and thirty-five minutes P. M. Speaker Coombs in the chair.

Quorum present.

SECOND-READING FILE.

Senate Bill No. 276—An Act to amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gates. (Substitute for Assembly Bill No. 199.)

Read second time, and ordered to third reading.

Assembly Bill No. 308—An Act to establish as public schools technical schools endowed by private gift, coming within certain requirements, and to encourage such endowments.

Read second time.

The following committee amendments were submitted:

Amend by striking out of line 2, after the word "State," "having an endowment of one million dollars or more," and inserting in place thereof "under the provisions of an Act entitled 'An Act to advance learning the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property, and the creation of trust for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art,' approved March 9, 1885."

Adopted.

Assembly Bill No. 308 ordered to printer, engrossment, and third reading.

Mr. Malcolm moved that the House do now take up Assembly Bill No. 107.

Motion lost.

At seven o'clock and forty-five minutes P. M., the Speaker called Mr. Dibble to the chair.

Assembly Bill No. 122—An Act to amend Section 427 of the Civil Code, in relation to insurance.

Read second time.

The following amendments were submitted:

COMMITTEE AMENDMENT NO. 1.

Amend Section 1, subdivision 3, line 20, of the printed bill, by inserting after the word "business" the following words: "*provided*, that such investment in any foreign country, State, or municipality shall not exceed the reserve value of policies in force therein."

Adopted.

COMMITTEE AMENDMENT NO. 2.

Amend by striking out of Section 1 of printed bill, subdivision 5, lines 23 and 24.

Adopted.

COMMITTEE AMENDMENT NO. 3.

Amend Section 1, line 6, printed bill, by adding to said subdivision 6, on line 26, the following: "organized and carrying on business under the laws of any State of the United States; *provided*, that a two-thirds vote of all the directors of such corporation shall approve such investment."

Adopted.

COMMITTEE AMENDMENT No. 4.

Amend Section 1, subdivision 6, line 26, by placing the words "except mining corporations" in parentheses, and strike the letter "s" from the word "corporations."

Adopted.

COMMITTEE AMENDMENT No. 5.

Amend Section 1 by making subdivision 6 to be subdivision 5.

Adopted.

COMMITTEE AMENDMENT No. 6.

Strike out of Section 1, subdivision 7, line 29, printed bill, the word "five."

Adopted.

COMMITTEE AMENDMENT No. 7.

In Section 1, subdivision 7, line 29, strike out the word "and" after the word "four," and place the word "and" after the word "three," on the same line.

Adopted.

COMMITTEE AMENDMENT No. 8.

Amend Section 1 by making subdivision 7 to be subdivision 6.

Adopted.

COMMITTEE AMENDMENT No. 9.

In Section 1, line 36, subdivision 8, printed bill, strike out the words "and five," and insert the word "and" between the words "three, four," on same line.

Adopted.

COMMITTEE AMENDMENT No. 10.

In Section 1, subdivision 8, lines 37 and 38, printed bill, strike out the words "and six," and insert the word "and" between the words "four, five."

Adopted.

COMMITTEE AMENDMENT No. 11.

Amend Section 1 by making subdivision 8 to be subdivision 7.

Adopted.

Assembly Bill No. 122 ordered to printer, engrossment, and third reading.

Assembly Bill No. 348—An Act to amend Section 415 of the Political Code, by providing for the purchase of digests of the decisions of the Supreme Court, and their distribution to certain Justices of the Peace.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 480—An Act to amend Section 671 of the Code of Civil Procedure of the State of California, relating to judgment liens.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 205—An Act to amend Section 1214 of the Civil Code, relating to the recording of conveyances.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 362—An Act entitled an Act to amend the Political Code by adding a new section prohibiting the imposing of a license upon any person soliciting orders for the sale of any articles manufactured or produced in this State, which, under the laws of the United States, cannot be legally imposed upon persons soliciting orders for the sale of like articles manufactured in any of the States of the United States.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 278—An Act to amend Section 1239 of the Penal Code, relative to the time for appeal from judgment.

Read second time.

The following committee amendment was submitted:

Amend line 4 of printed bill by striking out the word "forty" and inserting the word "sixty."

Adopted.

Assembly Bill No. 278 ordered to printer, engrossment, and third reading.

Assembly Bill No. 429—An Act to amend Section 571 of the Civil Code, relating to savings and loan corporations.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 322—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to estates of deceased persons.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 359—An Act to repeal an Act entitled "An Act to define the duties of Inspectors of Rifle Practice of the National Guard of California," approved March 30, 1878.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 360—An Act to amend Section 729 of the Penal Code, State of California, relating to the National Guard.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 635—An Act to amend the Penal Code, by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies. (Substitute for Assembly Bill No. 351.)

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 85—An Act to amend Section 832 of the Code of Civil Procedure, relating to place of trial of actions in Justices' Courts.

Read second time.

The following amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend line 4, Section 1, of printed bill, by striking out the word "the" after the word "in," and inserting instead the word "this."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend line 13, Section 1, of printed bill, by striking out the word "of," at end of line 3, and inserting instead the word "or."

Adopted.

Assembly Bill No. 85 ordered to printer, engrossment, and third reading.

Assembly Bill No. 484—An Act entitled an Act to make the Police Court in counties, cities, and cities and counties having a population of two hundred thousand inhabitants, a court of record.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 105—An Act to amend Sections 739 and 769 of the Political Code, relating to the appointment of phonographic reporters by the Supreme Court.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 55—An Act to amend Section 612 of the Code of Civil Procedure, relating to papers jury may take when retiring.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 53—An Act to amend Section 1137 of the Penal Code, relating to papers jury may take when retiring.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 36—An Act to provide for, insure, and maintain preference in places of appointment or employment in the public service of honorably discharged Union soldiers, sailors, and marines of the War of the Rebellion.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 427—An Act relating to hospitals for dipsomaniacs and morphine, opium, and alcohol inebriates, in municipalities of the first class.

Read second time.

The following amendments were submitted:

COMMITTEE AMENDMENT No. 1.

In line 3 of Section 4, before the word "maintenance," insert the words "construction and."

Adopted.

COMMITTEE AMENDMENT No. 2.

In line 3 of Section 4, after the word "system," insert the following: "and for the purpose of raising the money necessary to construct and maintain the said hospital, the said council, board, or body are hereby authorized and empowered to levy and collect annually, for the fiscal year commencing July 1, 1897, and ending June 30, 1898, and each and every fiscal year thereafter, in the same manner and at the same times as other taxes in said municipalities are levied and collected, an ad valorem property tax on real and personal property within the said municipalities, of one and one-half cents on each one hundred dollars of value, as shown by the assessment rolls of the said municipalities; *provided*, the moneys raised under the provisions of this Act shall be expended only in the manner and for the purposes authorized by law."

Adopted.

Assembly Bill No. 427 ordered to printer, engrossment, and third reading.

Assembly Bill No. 136—An Act to amend the Political Code by creating a new section, entitled Section 626*j*.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 382—An Act to repeal Sections 628*a*, 630, 632*b*, and 633, and to amend Sections 628, 635, and 636 of the Penal Code of the State of California, relating to fish.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 440—An Act for the protection of the Antwerp messenger, or homing pigeon.

Read second time.

The following amendment was submitted:

Amend Section 3 by adding the following: "And a judgment that the defendant pay a fine may also direct that he be imprisoned until the fine be satisfied, in the proportion of one day's imprisonment for every dollar of the fine."

Adopted.

Assembly Bill No. 440 read second time, ordered to printer, engrossment, and third reading.

Assembly Bill No. 504—An Act entitled an Act to amend Section 487 of the Penal Code of the State of California, making chicken-stealing grand larceny.

Read second time.

The following amendments were submitted:

COMMITTEE AMENDMENT No 1.

Strike out the word "or," in the last line of the bill, after the word "hog," and insert a comma; after the word "chickens," in the last line, add the words "or poultry."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend the title by striking out all the words after "California," and add the words: "defining grand larceny."

Adopted.

Assembly Bill No. 504 ordered to printer, engrossment, and third reading.

Assembly Bill No. 270—An Act to reduce rates of fares on street railroads in cities, cities and counties, or towns, and to require the issuance of commutation tickets, for not less than thirty trips, at reduced rates.

Withdrawn by author.

Assembly Bill No. 43—An Act to amend Sections 7 and 9 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 as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Read second time.

The following amendments were submitted by Mr. Hill:

Amend by striking out of Section 9, line 98, the word "prior," and inserting the following: "first."

Adopted.

Also: Amend by striking out of Section 9, line 100, the word "fifty," and inserting the following: "sixty."

Adopted.

Also: Amend by striking out of Section 9, line 97, the word "fifty," and inserting the following: "forty."

Adopted.

Also: Amend by striking out of Section 9, line 105, the sentence beginning with the word "No," and ending with the word "business," on line 111.

Adopted.

Assembly Bill No. 43 ordered to printer, engrossment, and third reading.

Assembly Bill No. 522—An Act to prohibit the making of contracts or the entry of judgment thereon in any particular or specific kind of money coined or issued by the United States.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 103—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 197—An Act to amend an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895, relating to voluntary insolvency.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 202—An Act to amend Section 977 of the Code of Civil Procedure, relating to the filing of papers on appeal to the Superior Court.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 289—An Act amending the Code of Civil Procedure of the State of California, adding a new section thereto, to be known and designated as Section 1408, making the expense of giving a bond by administrators, executors, trustees, receivers, and assignees, an expense payable as an expense of administration.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 298—An Act to amend Section 737 of the Political Code.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 125—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered Section 1641, relating to the settlement of accounts of executors and administrators.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 186—An Act to amend Section 883 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 310—An Act to amend Section 1255 of the Code of Civil Procedure, relating to costs in condemnation suits.

Read second time.

Mr. Goff offered the following as an amendment:

An Act to Amend Section 1255 of the Code of Civil Procedure, relating to costs in condemnation suits.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section twelve hundred and fifty-five of the Code of Civil Procedure of California is hereby amended to read as follows:

Section 1255. Costs must in all such cases be allowed to the defendant, and he shall be entitled to include in his cost bill all payments made by him to the official reporter for transcription of the notes of the evidence given at the trial, whether such transcription has been ordered by the court or not, and the defendant shall also be entitled to recover as costs a reasonable attorney's fee in the case, to be fixed by the court; *provided*, that when the plaintiff in such action has made a written tender of payment as full compensation for the land or interest sought to be condemned, then, in the event that the defendant is awarded as compensation a less sum than that so tendered, such defendant shall not be allowed attorney's fees incurred after refusal of such tender.

SEC. 2 This Act shall take effect from and after its passage.

Adopted.

Assembly Bill No. 310 read second time, ordered to printer, engrossment, and third reading.

Assembly Bill No. 438—An Act to prevent the granting of franchises or privileges for the construction, extension, or operation of railroads over or upon county roads or highways by Boards of Supervisors of the several counties of the State of California.

Read second time.

The following committee amendment was submitted:

After the word "California," in the last line of Section 1, add the following: "Except where public highways are absolutely required, the person or persons, or associations of persons, or corporations applying for such franchise, if the same be granted, must under conditions prescribed by the Board of Supervisors provide a highway at a suitable and safe distance, equal in kind to that part so appropriated. The provisions of this Act shall not apply to crossings over highways, nor to highways in mountain passes, nor to approaches to cities and towns for a distance of one mile therefrom."

Adopted.

Mr. Clarke moved to amend by inserting the following immediately after the committee amendment to Section 1 of the original bill:

Provided further, That the Board of Supervisors of any county in this State may grant a franchise to any railroad company to lay its tracks over the roads of any town-

ship or townships within said county, whenever a petition therefor, accompanied by a description of such railroad is filed with said Board, signed by taxpayers who are electors of such township or townships, owning in the aggregate not less than sixty per cent of the property in such township or townships, appearing upon the last preceding county assessment roll.

Adopted.

Assembly Bill No. 438 ordered to printer, engrossment, and third reading.

Assembly Bill No. 352—An Act authorizing the Secretary of State to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as Janitor's Clerk, who shall keep the accounts of the supply department, and making an appropriation for the payment of his salary for the remainder of the forty-eighth fiscal year.

Read second time.

Mr. Cutter moved that the House do now resolve itself into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Assembly Bill No. 352.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Dibble in the chair.

Assembly Bill No. 352 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Dibble in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 352—An Act authorizing the Secretary of State to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as Janitor's Clerk, who shall keep the accounts of the supply department, and making an appropriation for the payment of his salary for the remainder of the forty-eighth fiscal year—and now report, and recommend that the same be adopted as amended.

DIBBLE, Chairman

Report adopted.

The following amendments were submitted by Mr. Goff:

Amend by striking out of Section 1, lines 5, 6, and 7, the words "the same in amount as is paid to other clerks in the office of the Secretary of State, and shall be payable at the same time as other State officers," and inserting the following: "not to exceed the sum of twelve hundred ($1,200) dollars per year."

Adopted.

Also: Amend by striking out of Section 3, line 1, the words "from and after its passage," and inserting the following: "immediately."

Adopted.

Assembly Bill No. 352 ordered to printer, engrossment, and third reading.

Assembly Bill No. 391—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Withdrawn by author.

Assembly Bill No. 539—An Act to amend Section 487 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 300—An Act to protect livery-stable keepers by making certain acts punishable as misdemeanors.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 62—An Act making an appropriation to pay the claim of Thomas Hatch.

Read second time.

Assembly Bill No. 303—An Act to authorize the Board of Fish Commissioners of the State of California to purchase or construct a gasoline launch, to aid in carrying out the purposes of said board, and appropriating money therefor.

Read second time.

Assembly Bill No. 206—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in lithographing maps, etc., for the Commissioner of Public Works.

Read second time.

Assembly Bill No. 207—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in furnishing maps to the State Mining Bureau.

Read second time.

Mr. Cutter moved that the House do now resolve itself into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Assembly Bills Nos. 62, 303, 206, and 207.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Dibble in the chair.

Assembly Bills Nos. 62, 303, 206, and 207 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Dibble in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 62—An Act making an appropriation to pay the claim of Thomas Hatch—and recommend that it do pass as amended.

Also: Assembly Bill No. 303—An Act to authorize the Board of Fish Commissioners of the State of California to purchase or construct a gasoline launch, to aid in carrying out the purposes of said board, and appropriating money therefor

Also: Assembly Bill No. 206—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in lithographing maps, etc, for the Commissioner of Public Works

Also: Assembly Bill No. 207—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in furnishing maps to the State Mining Bureau.

And now report back, and recommend that the same do pass.

DIBBLE, Chairman.

Report adopted.

Assembly Bill No. 62—An Act making an appropriation to pay the claim of Thomas Hatch.

The following amendment was submitted by the committee:

Amend by striking out Section 2, and renumbering Section 3, Section 2.

Adopted.

Assembly Bill No. 62 ordered to printer, engrossment, and third reading.

Assembly Bill No. 303—An Act to authorize the Board of Fish Commissioners of the State of California to purchase or construct a gasoline launch, to aid in carrying out the purposes of said board, and appropriating money therefor.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 206—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in lithographing maps, etc., for the Commissioner of Public Works.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 207—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in furnishing maps to the State Mining Bureau.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 386—An Act prohibiting the establishing, locating, placing, or maintaining of any hospital, sanitarium, building, or other structure, used or intended to be used for the reception, care, or treatment of any person or persons afflicted with any contagious or infectious disease, within three thousand feet of any lake, pond, river, creek, ditch, or reservoir, the water of which is or may be used for domestic purposes other than in said institution; and forbidding any person or corporation from receiving, accepting, caring for, or treating any person or persons afflicted with any contagious or infectious disease in any such hospital, sanitarium, building, or other structure within three thousand feet of any lake, pond, river, creek, ditch, or reservoir, the water of which is or may be used for domestic purposes other than in said institution.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 585—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, and ordered engrossed and to third reading.

Assembly Bill No. 445—An Act relating to the authorization and employment of a draftsman by Recorders in counties and cities and counties of the first class.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 653—An Act to reduce the expenses of the government of the State.

Read second time.

The following amendments were submitted by Mr. Melick:

Amend by inserting after the word "follows," on line 5 of the printed bill, the words "and the rates of compensation as fixed by this Act shall remain in force, subject only to amendment by the Legislature."

Adopted.

Also: Amend by inserting the following:

"SEC. 2. All Acts or parts of Acts heretofore enacted which conflict with the provisions of this Act are hereby repealed."

Adopted.

Assembly Bill No. 653 ordered to printer, engrossment, and third reading.

Assembly Bill No. 677—An Act to establish a uniform system of county and township governments, approved March 24, 1893, by amending Section 175 thereof, relating to counties of the eleventh class.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 204—An Act relating to the compensation of County Recorders in counties where their compensation is fees instead of salary.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 311—An Act to regulate the liability of railroad

corporations with respect to damages sustained by any person, including employés of such corporation, in consequence of the negligence or willful wrongs of said agents, engineers, or other employés.

Read second time.

The following amendment was submitted by the committee:

Amend Section 1, line 3, by inserting, parenthetically, after the word "corporation," the words " where there is no contributory negligence on his part."

Adopted.

Assembly Bill No. 311 ordered to printer, engrossment, and third reading.

Assembly Bill No. 297—An Act entitled "An Act to amend Section 3009 of the Political Code," relating to the appointment of officers and employés by the San Francisco Board of Health.

Read second time.

The following amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Insert after the words "superintendent physician," in line 9, printed bill, the following: "who shall be a regular graduate of a reputable medical college, and of ten years' active practice."

Adopted.

COMMITTEE AMENDMENT No. 2.

Substitute at line 16, printed bill, "all students of the College of Physicians and Surgeons of San Francisco, and of the Medical Department of the University of California, and of the Cooper Medical College, and of the Hahnemann Hospital College, and of the California Medical College, shall be equally privileged to attend any and all clinics at the City and County Hospital."

Adopted.

COMMITTEE AMENDMENT No. 3.

Insert at line 27, printed bill, after "superintendent," the following: " who shall be a regular graduate of a reputable medical college, and of ten years' actual practice."

Adopted.

COMMITTEE AMENDMENT No. 4.

New section: "All Acts and parts of Acts in conflict with this Act are hereby repealed."

Adopted.

COMMITTEE AMENDMENT No. 5.

Renumber Section 2, in printed bill, to be Section 3.

Adopted.

Assembly Bill No. 297 read second time, ordered to printer, engrossment, and third reading.

Assembly Bill No. 158—An Act to authorize and require the State Board of Harbor Commissioners to commence and complete the construction of a certain portion of the seawall of the Port of San Francisco.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 554—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 138—An Act entitled an Act to amend Section 2003 of the Political Code.

Read second time.

The following amendment was submitted:

Amend section one by striking out after the word "numbers" (next to last line of section) "two and eight, bearing date January twenty-seventh, eighteen hundred and

ninety-six, and May twenty-fourth, eighteen hundred and ninety-five," and inserting "eight, ten, eleven, thirteen, seventeen, series of eighteen hundred and ninety-five, and general orders numbers two and three, series of eighteen hundred and ninety-six," and inserting after the word "respectively," in same line, "*provided*, such officers shall have served as commissioned officers at least five years in the National Guard of California." And inserting after the word "rank," in last line, "*provided*, that such officers shall make application to be placed on the retired list in accordance with subdivision three of section nineteen hundred and seventy-three of the Political Code, and that all enlisted men mustered out of the service under the provisions of the reorganization of the National Guard of California, mentioned in section one of this Act, shall be and the same hereby are entitled to all of the privileges and exemptions mentioned in section nineteen hundred and thirty-six of the Political Code, upon making a proper application therefor; *provided*, such enlisted men shall have served at least five years in the National Guard of California."

Adopted.

Assembly Bill No. 138 read second time, ordered to printer, engrossment, and third reading.

Assembly Bill No. 889—An Act to amend Section 1912 of the Political Code of the State of California, in reference to the number of companies constituting the National Guard of California, and the location thereof.

Withdrawn by author.

Assembly Bill No. 307—An Act to amend Section 1313 of the Civil Code, relating to restriction on the power of devise to charitable uses.

Read second time.

The following committee amendment was submitted:

Amend Section 1 by inserting after the word "except," in line 10 of printed bill, the following: "there being no surviving husband or wife, or lineal descendants of the testator."

Adopted.

Assembly Bill No. 307 ordered to printer, engrossment, and third reading.

Assembly Bill No. 678—An Act to add a new section to the Political Code, to be numbered Section 3658½, relating to the assessment of property and the collection of taxes.

Passed on file.

Assembly Bill No. 431—An Act to amend Section 3641 of the Political Code, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue.

Passed on file.

Assembly Bill No. 432—An Act to add a new section to the Political Code, to be known as Section 3609 thereof, relating to the general revenue of this State, and to property liable to taxation for the purpose of revenue.

Passed on file.

Assembly Bill No. 433—An Act to amend Section 3608 of the Political Code of California, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue.

Passed on file.

Assembly Bill No. 581—An Act to amend Section 266 of the Political Code of California, relating to the compensation of members of the Legislature and the mileage allowed to members thereof.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 225—An Act making an appropriation to pay the claim of Clarence S. Merrill, for services as reporter in a court of inquiry of the National Guard of the State of California.

Read second time.

Mr. Guy moved that the House do now resolve itself into Committee

of the Whole, with Mr. Dibble in the chair, to consider Assembly Bill No. 225.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Dibble in the chair.

Assembly Bill No. 225 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Dibble in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 225—An Act making an appropriation to pay the claim of Clarence S. Merrill, for services as reporter in a court of inquiry of the National Guard of the State of California—and now report the same back, and recommend that the same do pass.

DIBBLE, Chairman.

Report adopted.

Assembly Bill No. 225 read second time, and ordered engrossed and to third reading.

Assembly Bill No. 281—An Act to add a new section to the Penal Code, to be known as Section 367 thereof, relating to dealing in convict-made goods.

Read second time.

The following amendments were submitted:

COMMITTEE AMENDMENT No. 1.

In line 2, strike out the figures "367," and insert in lieu thereof the figures "367½."

Adopted.

COMMITTEE AMENDMENT No. 2.

In line 8, strike out the figures "367," and insert in lieu thereof the figures "367½."

Adopted.

COMMITTEE AMENDMENT No. 3.

In line 10, after the word "manufactured," strike out the words "and sold or exposed for sale in this State."

Adopted.

Assembly Bill No. 281 ordered to printer, engrossment, and third reading.

Assembly Bill No. 366—An Act to add a new section to the Political Code of the State of California, and to be numbered 3477½, relating to the transfer of moneys to the Swamp Land Fund.

Read second time.

The following committee amendment was submitted:

Amend by striking out in line 11 of the amended bill the words "the county general," and insert the words "any such"; and by striking out in line 12 the words "such other."

Adopted.

Assembly Bill No. 366 ordered to printer, engrossment, and third reading.

Assembly Bill No. 544—An Act to amend Sections 1895, 1897, 1898, 1900, 1912, 1913, 1918, 1919, 1924, 1936, 1945, 1962, 1965, 1966, 1970, 1974, 1976, 1981, 1982, 1984, 1986, 1990, 2006, 2007, 2018, 2022, 2076, 2084, 2094, 2099, and 2105 of the Political Code, and to repeal Section 2101 thereof, and to add two new sections thereto, to be known as Sections 2008 and 2009, all relating to the National Guard of California.

Passed on file.

Assembly Bill No. 384—An Act to amend Section 3 of an Act entitled "An Act to confer certain powers upon corporations organized for the purpose of discovering and preventing fires, and of saving property and human life from conflagration," approved April 1, 1876.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 142—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Passed on file.

Assembly Bill No. 586—An Act to amend Section 574 of the Civil Code, relating to the ownership and disposition of property of savings and loan corporations.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 616—An Act relating to the granting of new franchises and the renewal of existing franchises, and providing that upon the expiration thereof the corporate property, or property used in connection with the franchise, shall become the property of the county or municipality granting the franchise.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 327—An Act adding a new section to the Civil Code, relating to the location of and to compel the construction of depots, stations, sidetracks, switches, turnouts, and spurs, by transportation companies in the State of California, and fixing a penalty for failure to comply thereto.

Recommitted to Committee on Corporations for correction.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR. SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred the following resolution:

Resolved, That the Committee on Military Affairs is hereby granted leave of absence until Tuesday, to inspect the National Guard at San Francisco, with mileage.

Have had the same under consideration, and respectfully report the same back without recommendation.

MELICK, Chairman

The resolution was adopted.

ADJOURNMENT.

At nine o'clock and thirty minutes P. M., on motion of Mr. Emmons, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 20, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs Aldridge, Allen, Anderson, Arnerich, Belshaw, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Gately, Godfrey, Goff, Guy, Hill, Houghton.

Hudson, Jones, Keegan, Kenyon, Landsborough, Lindenberger, Malcolm, Mead, Melick, McCandlish, McClellan, McGrath, North of Yolo, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sims, Shanahan, Soward, Strain, Toland, Treacy, Wright, and Mr. Speaker.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

LEAVE OF ABSENCE.

Mr. North, of Alameda, was excused for this morning.

Messrs. Boone, Foreman, Waymire, Pohlmann, and Lacy were excused for the day.

Messrs. Damon, Mulcrevy, and Vosburg were granted leave of absence until next Tuesday.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Thursday, February 18th, was approved as corrected.

MOTION.

Mr. Mead moved to suspend the rules and reconsider the vote whereby the resolution offered by Mr. Jones was adopted last evening.

Motion lost.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 12—An Act to amend Section 312 of the Code of Civil Procedure of the State of California, relating to the time of commencing actions.

Also: Assembly Bill No. 22—An Act to amend Section 5 of an Act entitled "An Act to provide a system of street-improvement bonds to represent assessments for cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Also: Assembly Bill No. 738—An Act to amend Sections 237, 245, 246, and 268 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

And presented the same to the Governor on this day, at three o'clock and fifty minutes P. M.

Also: Assembly Bill No. 681—An Act concerning bridges across navigable streams.

Also: Assembly Bill No. 120—An Act to provide additional support and maintenance, and for the acquisition of necessary property and improvements for the University of California, by the levy of a rate of taxation, and the creation of a fund therefor.

And presented the same to the Governor on this day, at eleven o'clock and thirty minutes A. M

FONTANA, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 765—An Act making an appropriation to pay the claim of A. W. Rapelye against the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 377—An Act to provide for the construction of a reservoir for settling and storing water at the Preston School of Industry, and making an appropriation therefor—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. 402—An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner,

defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

GUY, Chairman.

Assembly Bills Nos. 765 and 377 placed on file for second reading.

Assembly Bill No. 402—An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 100—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887, to provide the penalty therefor, and appropriating money to enforce the same

Also: Assembly Bill No 379—An Act to provide for the purchase of additional land for the Preston School of Industry at Ione, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 615—An Act to pay the claim of A. J Bourne 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.

GUY, Chairman.

Senate Bill No. 100 and Assembly Bill No. 379 placed on file for second reading.

Assembly Bill No. 615—An Act to pay the claim of A. J. Bourne against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

ON PUBLIC WORKS, STATE CAPITOL, AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Assembly Bill No. 880—An Act providing an appropriation for the improvement of and repairs to Sutter's Fort and grounds—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ENNIS, Chairman.

Assembly Bill No. 880 placed on file for second reading.

THE SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR SPEAKER: Your committee, the San Francisco Delegation, to whom was referred Assembly Bill No. 901—An Act providing for the relief of John J. Conlin, for work performed in the City and County of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MULCREVY, Chairman.

Assembly Bill No. 901 placed on file for second reading.

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No. 791—An Act to amend Sections 3476 and 3477 of the Political Code, relating to reclamation of swamp and overflowed lands—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

A. W. NORTH, Chairman.

Assembly Bill No. 791 placed on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Constitutional Amendment No. 38—Proposed amendment to Section 6, Article IX, of the Constitution, relative to grammar schools—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Senate Bill No. 176—An Act to amend Section 1688 of the Political Code of the State of California, relating to public schools, and employment of teachers of physical culture—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No 592—An Act to create and administer a public school teachers' annuity retirement fund in cities of this State of the first, second, and third classes, having Boards of Education—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, and that the author be permitted to withdraw the same.

ROBINSON, Chairman.

Assembly Constitutional Amendment No. 38 placed on file.

Senate Bill No. 176 placed on file for second reading.

Assembly Bill No. 592 withdrawn by author.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 19, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on February 19th passed Senate Bill No 136—An Act to establish a uniform system of county and township governments.

F. J. BRANDON, Secretary.
By ALF D. BOWEN, Assistant.

Senate Bill No. 136—An Act to establish a uniform system of county and township governments.

Read first time, and placed on Senate special file for second reading.

Referred to Committee on County and Township Governments.

Mr. Burnham moved that the State Printer be instructed to print one thousand extra copies of Senate Bill No. 136.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 719—An Act to repeal an Act entitled "An Act regulating the sale of mineral lands belonging to the State," approved March 28, 1874—have had the same under consideration, and respectfully report the same back, with a substitute therefor, and recommend that such substitute do pass.

SOWARD, Chairman.

INTRODUCTION OF BILL, ETC.—(OUT OF ORDER.)

By Committee on Mines and Mining Interests—Assembly Bill No. 943 (Committee Substitute for Assembly Bill No. 719)—An Act to repeal an Act entitled "An Act regulating the sale of mineral lands belonging to the State," approved March 28, 1874, and the Acts amendatory thereof; and to provide for the sale of mineral lands under the United States laws.

Read first time, and placed on file for second reading.

By Mr. Treacy: Assembly Constitutional Amendment No. 42—Proposing to add to Article XI of the Constitution of the State of California a new section, to be numbered Section 20.

Referred to Committee on Constitutional Amendments.

By Mr. Robinson: Assembly Constitutional Amendment No. 43—A resolution to propose to the people of the State of California an amendment to Section 7 of Article IX of the Constitution of the State of California, by taking away the control of granting high-school certificates from County Boards of Education.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 433—An Act to amend Section 3608 of the Political Code of California, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 432—An Act to add a new section to the Political Code, to be known as Section 3609 thereof, relating to the general revenue of this State, and to property liable to taxation for the purpose of revenue—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 431—An Act to amend Section 3641 of the Political Code, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue.

Also: Assembly Bill No. 631—An Act to repeal Section 3640 of the Political Code of California, relating to the duties of Assessors

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

WAYMIRE, Chairman.

Assembly Bills Nos. 433, 432, and 431 placed on file for second reading.

Assembly Bill No. 631—An Act to repeal Section 3640 of the Political Code of California, relating to the duties of Assessors.

Read first time, and placed on file for second reading.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations hereby report the following temporary rule, under Rule LXVII of the Assembly: That the following bills be considered at a meeting of the Assembly, to be held Wednesday evening, February 24th, commencing at seven o'clock and thirty minutes; that all of said bills not now on the third-reading file be considered under the urgency clause of the Constitution, and be read second and third times, and placed on final passage; that no other business be transacted pending consideration of said measures, except by unanimous consent:

Assembly Bill No. 63—An Act to amend an Act approved March 26, 1893, entitled "An Act to create and administer a public school teachers' annuity and retirement fund in the several counties and cities and counties in the State."

Assembly Bill No. 200—An Act to amend Sections 925, 928 of the Penal Code of the State of California, and add a new section to said Code, to be known as Section 929, relating to grand juries, their powers and duties.

Senate Bill No. 13—An Act to amend an Act entitled "An Act to create a police relief, health, life insurance, and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889, and to amend also the amendment to Section 7 of said Act, approved March 31, 1891.

Assembly Bill No. 646—An Act making an appropriation to pay the claim of James V. Hicks against the State of California.

Assembly Bill No 66—An Act to enable cities incorporated and operating under a charter framed under Section 8, Article XI, of the Constitution, to abandon and annul such charter and organize under general laws

Assembly Bill No. 783—An Act to amend Section 2737 of the Political Code, relating to bridges and highways, and the construction of bridges over ditches and across highways. (Substitute for Assembly Bill No. 196.)

Assembly Bill No. 639—An Act to provide for the care of the dependent and wayward classes.

Assembly Bill No. 623—An Act to amend Sections 350, 351, and 354 of the Penal Code of the State of California, relating to the punishment of counterfeiting trademarks, and

the sale of goods bearing counterfeited trademarks, and other infringements of the rights of trademarks.

Assembly Bill No. 15—An Act to appropriate $1,535 25 to pay the claim of W. W. Foote and Garret W. McEnerney for legal services rendered and expenses incurred by them in that certain action commenced in and decided by the Supreme Court of the State of California, and which was therein entitled "The People of the State of California, on relation of John C. Lynch, petitioner, vs. James H. Budd, respondent," and numbered S. F. No 600.

Assembly Bill No. 813—An Act to add a new section to the Civil Code of California, to be known as Section 431 thereof, relating to the form of fire insurance policies.

Assembly Bill No. 247—An Act making an appropriation to pay the claim of the Daily Report Publishing Company, for advertising the constitutional amendments.

Assembly Bill No 233—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments.

Assembly Bill No 554—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Assembly Bill No 62—An Act making an appropriation to pay the claim of Thomas Hatch.

Assembly Bill No. 361—An Act entitled an Act to amend the Political Code, by adding a new section requiring the State and subdivisions of the State to give preference to goods manufactured or produced in the State, when contracting for or purchasing goods or other property.

Assembly Bill No. 523—An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution, to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act.

Assembly Bill No. 524—An Act to provide for the fencing of the farm property, the further equipment of the farm, and for the laying out and care of the grounds at the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Assembly Bill No. 224—An Act making an appropriation to pay the claim of Luke Kavanagh, for reporting and transcribing testimony for the Board of Health.

Assembly Bill No. 860—An Act to provide for the dredging and improvement of Alviso Slough, and to appropriate money therefor.

And your Committee on Rules and Regulations further report that on Thursday evening, February 25th, at a meeting of the Assembly, commencing at seven o'clock and thirty minutes, the following bills be considered That all of said bills not now on the third-reading file be considered under the urgency clause of the Constitution, and be read second and third times, and placed on final passage, that no other business, except by unanimous consent, be transacted pending consideration of said measures:

Assembly Bill No 445—An Act relating to the authorization and employment of a draftsman by Recorders in counties and cities and counties of the first class

Assembly Bill No. 180—An Act to amend Sections 338, 339, and 341 of the Penal Code, and add two new sections thereto, to be known and designated as Sections 344 and 345, relating to pawnbrokers.

Assembly Bill No 510—An Act to improve Salt River, Humboldt County, from the junction thereof with Eel River to Port Kenyon, by removing therefrom bars and other obstructions to navigation, and to appropriate the sum of $10,000 for that purpose.

Assembly Bill No. 229—An Act making an appropriation to pay the claim of Sarah H. Wing, for the killing of her husband, O. H. Wing

Assembly Bill No 132—An Act to authorize the erection of a sewage-pumping plant at the Folsom State Prison, and making an appropriation therefor.

Assembly Bill No. 382—An Act to repeal Sections 625*a*, 630, 632*b*, and 633, and to amend Sections 628, 635, and 636 of the Penal Code of the State of California, relating to fish.

Assembly Bill No. 538 -An Act to amend Sections 2569, 2570, 2571, and 2572 of the Political Code of the State of California, and to add six new sections thereto, to be numbered 2573, 2574, 2574*a*, 2574*b*, 2574*c*, and 2574*d*, relating to the Board of Harbor Commissioners for the Port of Eureka, and making an appropriation therefor.

Assembly Bill No. 682—An Act providing for the publication of legal or official advertising

Assembly Bill No 370—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Assembly Bill No. 810—An Act to amend Section 3 of an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, providing for the submission of the question of reincorporation of such corporations at special elections

Assembly Bill No. 828—An Act to provide for the appointment of a mining inspector in each congressional district in the State, to define his duties, and provide for his compensation and the liability of mining operators.

Assembly Bill No. 654—An Act to add a new title to Part IV of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as Title V, regulating publications by State officers and commissioners, Common Councils, Boards of Writers, or Supervisors, in counties, cities, cities and counties, or towns.

Assembly Bill No. 655—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered and known as Section 51, relating to libel.

Assembly Bill No. 533—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-eighth fiscal year

Assembly Bill No. 534—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-seventh fiscal year.

Assembly Bill No. 535—An Act making an appropriation to pay the deficiency in the appropriation for office rent of the Attorney-General in San Francisco for the forty-eighth fiscal year.

Assembly Bill No. 688—An Act to amend Sections 354, 1487, 1488, 1489, 1490, 1491, 1492, 1497, 1501, 1503, and 1507, and to repeal Sections 1504 and 1506 of the Political Code, relating to State Normal Schools.

CHYNOWETH, Chairman

MESSAGE FROM THE GOVERNOR.

Mr. Dibble moved that the Assembly do now take up messages from the Governor.

So ordered.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 19, 1897.

To the Senate and Assembly:

GENTLEMEN: The State Board of Trade, by its properly constituted committee, has waited upon me and submitted a statement of the character of many of the immigration schemes projected by parties within the State, and of the injury which our legitimate interests have sustained abroad by the frequent misrepresentations of private parties seeking to trade upon the reputation and acknowledged merit of California. It is an acknowledged fact, with which you are doubtless familiar, that, while this State affords a wealth of opportunity for honest and productive investment, and offers an almost limitless variety of opportunities for the poor or wealthy home-seeker to satisfactorily establish himself, great injustice is done, and much hardship inflicted upon a large number of persons annually, who are lured within our State by dishonest promoters or speculators, and who are induced to pay high prices for barren, arid, or otherwise unproductive land

Our State has honestly earned a reputation abroad as possessed of a peerless soil and climate, and it should be our concern, as it is our duty, to preserve that reputation untarnished as a source of progress and an object of pride. I submit to you herewith the communication of the Committee of the State Board of Trade, which is self-explanatory. If you deem it wise to place some restriction or regulation upon immigration schemes, or if you desire to constitute some authority which shall pass upon their character or integrity by which investors abroad will be protected, I will be pleased to coöperate with you, hoping it will result in correcting serious evils which we know to exist. No additional expenditure need, however, be incurred for a new commission for the purpose outlined in the communication, as we already have in the State Board of Agriculture a body peculiarly fitted, by reason of their calling and general distribution throughout the State, for this purpose.

I submit this matter to your careful consideration.

JAMES H. BUDD, Governor

SAN FRANCISCO, February 15, 1897.

Honorable JAMES H. BUDD, *Governor of California, Sacramento, Cal.:*

DEAR SIR: Your Excellency is no doubt aware of the fact that in September last a report of the Consul-General residing in San Francisco, and representing Great Britain in the consular service of that country, was transmitted to Parliament. In general effect that report declared that for the most part the colonization schemes projected in this State were fraudulent and deceptive The sovereign of Great Britain indorsed these statements sufficiently to cause the document to be transmitted to the British Parliament, and the representations therein made have become in a sense the official expression of that Government.

Unfortunately for our State, the strictures contained in the document have for the most part a degree of justification in the facts of the case. There are now offered on the markets colony lands in which no intelligent Californian would invest. They are addressed to foreign ignorance, and designed only for the attention and patronage of those whose lack of information makes them easy victims of dishonest immigration schemes. It is no part of the present purpose in addressing you to present or expose these schemes We, therefore, content ourselves by the declaration of facts, for the verification of which we have ample evidence. The situation herein outlined calls for remedial measures.

In the first instance, the representation made by the Consul-General of Great Britain and its official indorsement by the sovereign of that country is a condemnation, which,

while intended only for the condemnation of fraudulent schemes, will necessarily be extended in its effect to the most beneficent and advantageous enterprises.

California, notwithstanding its age, is a country of large extent occupied by a relatively small population. Our condition is such as to make a reinforcement of our capital and population most desirable. We have natural resources which, when developed, will prove a rich reward to enterprise and intelligently directed capital. But our representations concerning these resources and our presentation of the inducements they offer are now very broadly discredited throughout the world.

If these representations were wholly false, if they had no foundation in fact, the case would be different; but unfortunately the evidence that many fraudulent schemes have been projected, and have resulted disastrously to those who were deceived by them, gives not only color but demonstration of fraud which, as already indicated, will attach to all representations which may be made on behalf of our commonwealth

This situation demands remedies. The first of these is to establish some instrumentality of an official character which will expose and denounce the projectors of fraudulent and deceptive colonization undertakings. In the next instance, the ordinary unofficial methods of the defense of the State against the broader inferences of the charges already made, and in part substantiated, are insufficient to the accomplishment of the purpose.

In times past the price of land in California has been high The richest fruit lands in the State have been held at prices which no use to which they might be devoted would justify. The general farming lands of the State were held at prices which forbade all expectation of a reasonable return upon the capitalized investment.

These conditions have passed away. California in the past has presented an example wherein the price of its real estate was not correlated with the density of population. In all countries there has been a fixed relation of value between the soil, the original source of all wealth, and the density of population occupying the country embracing that soil. California for a long time appeared to be an exception to this rule; but it is no longer so. Very high prices for the farming and fruit lands of California are no longer obtainable, nor even asked The depressed state of business throughout the world has wrought its perfect work in California in the direction of eliminating false factors in all valuations The average value of all classes of agricultural land in California is not to-day thirty per cent of that placed upon it during the decade between 1880 and 1890.

Men forego home ties, break up home relations, sever themselves from kindred and from friends, only because they believe they can better their condition financially, morally, and socially The sober question which confronts us in inviting a reinforcement of our population is, Do the conditions of California in their financial, educational, religious, moral, and social aspects offer superior inducements to those existing in the more densely settled portions of our country? If they do not, then in the very incipiency of the case an invitation extended to people to break their home ties and become citizens of our commonwealth is in its nature a deception

We who address you in this communication, and the organization we represent, believe that California offers inducements superior to those of many more densely settled countries, and entertaining that opinion, we also entertain the belief that in inviting immigration to California we are conferring a favor, not only upon this commonwealth, but upon those who accept that invitation. Never before the present time in the history of this State have the inducements to immigration been so great.

Men dispose of the property they have accumulated and make investments in new countries in the hope of acquiring the ownership of property in the new location in advance of its developed value They expect, as they have a right, that the increment of value on the property they purchase will reinforce their own industry and economy in acquiring wealth For many years past this hope or expectation could not be realized with reference to California. The inflated prices at which the lands of the State were held forbade this expectation

All this is changed. Lands are no longer held at values which anticipate development; and out of this grows the opportunity of reaping the reward of that enhancement which will necessarily ensue upon the more dense settlement of our State All the conditions inviting immigration to this State have improved. The rate of transportation has a steadily downward tendency. The cost of living constantly declines. The original cost of planting an orchard has been very greatly diminished. A ripe experience as to the science of horticulture and agriculture affords guaranty against the costly mistakes of ignorance In every aspect of the case the invitation which the people of California can now extend to the home-seekers of the world has better justification than at any time in the history of the commonwealth. At this juncture the reputation of our State as a desirable place for residence has received the broadest injury

These matters are of the highest importance to the State of California. They are of even greater importance than the question of exhibiting the products of the State at Eastern or foreign expositions We are confronted by a condition which will deny to us our due share of the immigration which seeks new homes each year.

The State Board of Trade, an organization composed of representatives from the various counties of the State, has had these matters under consideration, and has appointed the signers of this communication a committee to present the matter to your Excellency, accompanied by a petition that the facts herein presented be made the subject of a special message to the Legislature, accompanied by the recommendation that a Commission of Immigration be created and established, whose duty it shall be to insti-

tute inquiry into the character of all colonization schemes projected in this State, and to commend or condemn according to the merit or demerit of such schemes

The only adequate or effective defense the State can now make against the injurious representations which have received such high official indorsement will be through the deliberate conclusions of an official body, one representing the Government of the State of California, and therefore charged with a high accountability. The testimony of such an authority will be received, respected, and believed, while the representation of the voluntary immigration instrumentality will be regarded as partial, interested, and unreliable.

We, therefore, have the honor to petition that your Excellency present to the Legislature, in the form of a special message, such statement of the changed and improved conditions in this State as bear upon its natural resources, the opportunities of their development, and the general desirability of the State as a place of residence

We also respectfully urge upon your thoughtful attention the suggestion herein made of the creation of a State Commission of Immigration, the function and office of which would be to protect the people of California against the injurious results of fraudulent schemes projected only in the interest of private peculation All misrepresentation of this kind can work only injury to this commonwealth, and a State commission, composed of patriotic and honorable men, armed with the authority of the law, and representing in an official capacity the people of the State of California, would make only truthful representations; and with this high official indorsement the truth concerning our State would be received and believed.

We forego further detail of outline, leaving to your better understanding of the subject and your better facility of suggestion the elaboration of the plan herein generally outlined.

Respectfully representing to you the gravity of the situation, we have the honor to remain,

Yours respectfully,

WM. H MILLS,
San Francisco, Chairman;
N. P. CHIPMAN,
Tehama County, President State Board of Trade;
JOSEPH S EMERY,
Alameda County, Vice-President State Board of Trade;
J. A. FILCHER,
Placer County, General Manager State Board of Trade;
MRS. E. SHIELDS,
Sacramento County;
CRAIGIE SHARP,
Alameda County;
Committee.

INTRODUCTION OF BILLS.

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

By Mr. Dryden: Assembly Bill No. 944—An Act to prohibit corporations of other States and Territories from conducting business or owning, operating, leasing, or holding property in the State of California, in certain cases.

Read first time, and referred to Committee on Judiciary.

By Mr. Dibble: Assembly Bill No. 945—An Act to amend Sections 1075, 1077, and 1078 of the Political Code of the State of California, relating to elections and Boards of Election Commissioners.

Read first time, and referred to San Francisco Delegation.

Also: Assembly Bill No. 946—An Act to amend Section 3546 and Section 3547 of an Act entitled an Act to establish a Political Code, approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands.

Read first time, and referred to Committee on Revision of Codes and Statutes.

By Mr. Burnett: Assembly Bill No. 947—An Act to amend Section 11 and Section 657 of an Act of the Legislature of the State of California entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the authority of courts-martial and other tribunals to punish for contempts, and relating to punishment for contempts.

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

By Mr. Ennis: Assembly Bill No. 948—An Act for the relief of John Mullan, and to appropriate money therefor.

Read first time, and referred to Committee on Claims.

By Mr. Fontana: Assembly Bill No. 949—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 1426 thereof, relating to executors and administrators.

Read first time, and referred to Committee on Judiciary.

By Mr. Burnham: Assembly Bill No. 950—An Act to amend Section 2294 of Chapter III, Title V, of the Political Code, relating to the State Library.

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

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 292—An Act to amend Sections 3730 and 3823 of the Political Code, relating to revenue and taxation—have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

WAYMIRE, Chairman.

Assembly Bill No. 292—An Act to amend Sections 3730 and 3823 of the Political Code, relating to revenue and taxation.

Read first time, and placed on file for second reading.

RESOLUTION.

By Mr. Sims:

Resolved, That B. D. Martin be and he is hereby appointed Watchman in and for the lobby, at a per diem of $4, to be paid out of the Contingent Fund of the Assembly, pay to begin February 1st. The Controller is hereby directed to draw his warrant, and the Treasurer is directed to pay the same.

Referred to Committee on Attachés and Employés.

LEAVE OF ABSENCE.

Mr. Power, of Placer, was granted leave of absence for the remainder of the day.

RESOLUTION.

By Mr. Melick:

Resolved, That the order requiring the State Printer to bind bills in numbers of two hundred each be hereby revoked.

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

Lost.

INTRODUCTION OF BILLS—(RESUMED).

By Mr. Ryan: Assembly Bill No. 951—An Act for the acceptation of balloting or voting machines, and designating a particular voting machine.

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

SPECIAL ORDERS.

ASSEMBLY JOINT RESOLUTION No. 27.

Relative to the punishment of seamen for leaving a vessel before the expiration of the term of service agreed upon.

WHEREAS, The seamen of our country are subject to arrest and imprisonment for leaving a vessel before the expiration of the term of service agreed upon; and

WHEREAS, This condition imposes upon our seamen a penal punishment for the violation of a civil contract, and is obviously an infringement to the thirteenth amendment of the Constitution of the United States; and

WHEREAS, The House of Representatives, at the first session of the fifty-fourth Congress, passed bills numbers twenty-six hundred and sixty-three and sixty-three hundred and ninety-nine, which abolish imprisonment for desertion, besides inaugurating several other much-needed reforms in the condition of our seamen; and

WHEREAS, The Committee on Commerce of the United States Senate, through its Chairman, Senator Frye, has, at the present session of Congress, introduced substitutes for House bills numbers twenty-six hundred and sixty-three and sixty-three hundred and ninety-nine, which not only reaffirm the law of imprisonment for desertion, but also reënact a number of punitive measures which had previously been repealed; and

WHEREAS, Senator Frye has intimated that unless the United States Senate will accept his substitutes without amendment, he will allow the entire matter to die in committee; therefore, be it

Resolved, That we condemn the principle of imprisonment for desertion among our seamen as unjust to them, unnecessary to commerce, and repugnant to our sense of American liberty; and, moreover, in view of the recent decision of the United States Supreme Court in the Arago case, we deem such law a menace to the personal rights of every other class of workers; and further

Resolved, That we urge the United States Senate to recall House bills numbers twenty-six hundred and sixty-three and sixty-three hundred and ninety-nine from the Committee on Commerce, and to pass upon them as sent from the House of Representatives; and further

Resolved, That we commend the action of the Representatives of California in Congress in their efforts to improve the condition of our seamen and of our merchant marine; and further

Resolved, That a copy of these resolutions be immediately forwarded to our Representatives in Congress, to the President of the United States Senate, and to Senator Frye, Chairman of the Committee on Commerce of the United States Senate.

Adopted.

MOTION.

Mr. Dibble moved that the Assembly do now take up the second-reading file.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 678—An Act to add a new section to the Political Code, to be numbered Section 3658½, relating to the assessment of property and the collection of taxes.

Passed on file.

Assembly Bill No. 544—An Act to amend Sections 1895, 1897, 1898, 1900, 1912, 1913, 1918, 1919, 1924, 1936, 1945, 1962, 1965, 1966, 1970, 1974, 1976, 1981, 1982, 1984, 1986, 1990, 2006, 2007, 2018, 2022, 2076, 2084, 2094, 2099, and 2105 of the Political Code, and to repeal Section 2101 thereof, and to add two new sections thereto, to be known as Sections 2008 and 2009, all relating to the National Guard of California.

Passed on file.

Assembly Bill No. 142—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Withdrawn by author, and, on motion of Mr. Houghton, Assembly Bill No. 632 substituted therefor on file.

Assembly Bill No. 632—An Act to provide for the organization and management of county fire insurance companies.

Read second time.

The following amendments were submitted:

COMMITTEE AMENDMENT No 1.

Section 1 of printed bill, line 2, after the word "owning," insert the word "insurable."

Adopted.

COMMITTEE AMENDMENT No. 2.

Section 2 of printed bill, line 24, after the word "California," insert the words "the by-laws and all amendments thereto shall be filed with the Insurance Commissioner within sixty days after their adoption"

Adopted.

COMMITTEE AMENDMENT No. 3.

Section 3 of printed bill, line 6, after the word "meeting" insert the words "of the members." On same line strike out the word "first" and insert the word "second."

Adopted.

COMMITTEE AMENDMENT No. 4.

Section 3 of printed bill, line 7, strike out the word "February" and insert the word "January."

Adopted.

COMMITTEE AMENDMENT No. 5.

Section 4 of printed bill, line 2, strike out the word "treasurer," and insert the word "vice-president"; also, in same line, insert before the word "secretary" the words "treasurer and a."

Adopted.

COMMITTEE AMENDMENT No. 6.

Section 4, printed bill, line 3, after the word "be" strike out the word "a"; also, in same line, add "s" to the word "member."

Adopted.

COMMITTEE AMENDMENT No. 7.

Section 8, printed bill, line 3, strike out the word "such," and insert after the word "other" the word "farms."

Adopted.

COMMITTEE AMENDMENT No. 8.

Section 8, printed bill, line 5, strike out the word "insurer" and insert the word "insured"; also, in same line, after the word "stack," insert the words "or in the field."

Adopted.

COMMITTEE AMENDMENT No. 9.

Section 8, printed bill, line 10, after the word "risk," insert the words "*provided*, that no company which has been organized more than six months shall write insurance subject to one fire exceeding three per cent of the amount at risk upon the books of such company."

Adopted.

COMMITTEE AMENDMENT No. 10.

Section 9, printed bill, line 1, strike out the word "any" and insert the word "all"; also, on same line, strike out the words "company may," and insert the words "company must."

Adopted.

COMMITTEE AMENDMENT No. 11.

Section 9, printed bill, line 2, strike out the word "thereof" and insert in lieu the word "thereon."

Adopted.

COMMITTEE AMENDMENT No. 12.

Section 9, printed bill, line 4, strike out the word "and"; same section, line 5, strike out the words "buildings insured," and insert the words "kinds of property insured."

Adopted.

COMMITTEE AMENDMENT No. 13.

Section 10, printed bill, line 2, strike out the words "comprised in the formation of the," and insert the words "within which the."

Adopted.

COMMITTEE AMENDMENT No. 14.

Section 10, printed bill, line 3, after the word "company," insert the words "is organized"; also, in same line, strike out the words "they insure," and insert the words "and company issue policies of insurance on."

Adopted.

COMMITTEE AMENDMENT No. 15.

Section 10 of printed bill, line 5, after the word "company," insert the words "*provided*, that no dwelling shall be insured within the corporate limits of any city or town exposed by any other building within one hundred feet, or by any other risk other than a dwelling or private barn, within two hundred feet of the risk assumed."

Adopted.

COMMITTEE AMENDMENT No. 16.

Section 11 of printed bill, line 9, after the word "the," strike out the word "secretary," and insert the words "vice-president, or in the absence of both the secretary."

Adopted.

COMMITTEE AMENDMENT No. 17.

Section 11 of printed bill, line 18, after the word "insured," insert the words "shall appoint."

Adopted.

COMMITTEE AMENDMENT No. 18.

Section 14 of printed bill, line 1, strike out the words "suits at law," and insert the words "an action."

Adopted.

COMMITTEE AMENDMENT No. 19.

Section 14 of printed bill, line 6, strike out the words "provisions of this Act" and insert the words "law or by the by-laws of the company."

Adopted.

COMMITTEE AMENDMENT No. 20.

Section 14 of printed bill, line 5, after the word "by," strike out the word "the."

Adopted.

COMMITTEE AMENDMENT No. 21.

Section 14 of printed bill, line 7, strike out the words "suits at law," and insert the words "an action."

Adopted.

COMMITTEE AMENDMENT No. 22.

Section 15 of printed bill, line 3, strike out the word "January," and insert the word "December."

Adopted.

COMMITTEE AMENDMENT No. 23.

Section 16 of printed bill, line 10, after the word "*provided*," strike out the word "*further*."

Adopted.

COMMITTEE AMENDMENT No. 24.

Section 16, line 11, after the word "policy" strike out the words "for violation"; also, same section, in line 12, strike out the words "of any of the terms or conditions thereof, or of the by-laws."

Adopted.

COMMITTEE AMENDMENT NO. 25.

Section 16 of printed bill, line 13, after the word "insured," insert the words "five days written."

Adopted.

COMMITTEE AMENDMENT No. 26.

Section 17 of printed bill, line 6, strike out the words "is of the" and insert the word "finds", also, same section, line 7, strike out the word "opinion."

Adopted.

COMMITTEE AMENDMENT No. 27.

Section 16 of printed bill, line 6, strike out, after the word "company," up to the word "*provided*," on line 10.

Adopted.

COMMITTEE AMENDMENT No. 28.

Section 13 of printed bill, line 1, strike out the word "secretary."

Adopted.

COMMITTEE AMENDMENT No. 29.

Section 13 of printed bill, line 1, strike out the word "president," and insert the word "secretary."

Adopted.

COMMITTEE AMENDMENT No. 30.

Section 14 of printed bill, line 3, after the word "Act," insert the following: "or other liabilities due the company."

Adopted.

COMMITTEE AMENDMENT No. 31.

Section 3 of printed bill, line 4, strike out the word "incorporators," after the word "the," and insert the words "members of the association."

Adopted.

COMMITTEE AMENDMENT No. 32.

Section 3 line 8, of printed bill, strike out the word "incorporator" and insert the word "member."

Adopted.

COMMITTEE AMENDMENT No. 33.

Section 4, line 4, of printed bill, strike out the words "the annual," and in line 5 the words "meeting preceding," and insert the words "their election."

Adopted.

MOTIONS.

Mr. Shanahan moved that the Committee on Corporations be required to report Assembly Bill No. 327 back not later than Wednesday morning, and it be made a special order for that day, at two o'clock P. M.

So ordered.

Mr. Guy moved that the Assembly do now take up Senate messages.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 20th day of February passed the following: Assembly Bill No. 840—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Also: Senate Bill No. 721—An Act making an appropriation for the contingent expenses of the Senate.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Assembly Bill No. 840 ordered to enrollment.

Senate Bill No. 721—An Act making an appropriation for the contingent expenses of the Senate for the thirty-second session of the Legislature.

Read first time.

RESOLUTION—(CASE OF URGENCY).

By Mr. Guy:

Resolved, That Senate Bill No 721 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The roll was called.

Pending the roll call, Mr. Leavitt moved a call of the House.

So ordered.

CALL OF THE HOUSE.

Pending roll call, Mr. Dibble moved that further proceedings under call of the House be dispensed with.

So ordered.

The roll was called, and the urgency resolution of Mr. Guy adopted by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Belshaw, Burnett, Burnham, Caminetti, Canavan, Cartwright, Clarke, Cross, Cutter, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Guy, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Kenyon, Landsborough, Leavitt, Lindenberger, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, Pohlmann, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Wright, and Mr. Speaker—55.

NOES—Mr. Bridgford—1.

Senate Bill No. 721—An Act making an appropriation for the contingent expenses of the Senate for the thirty-second session of the Legislature.

Read second time.

Mr. Guy moved that the Assembly do now resolve itself into Committee of the Whole, with Speaker Coombs in the chair, for the purpose of considering Senate Bill No. 721.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 721 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 721—An Act making an appropriation for the contingent expenses of the Senate for the thirty-second session of the Legislature—and now report the same back, and recommend that the same do pass.

COOMBS, Chairman.

Report adopted.

Senate Bill No. 721—An Act making an appropriation for the contingent expenses of the Senate for the thirty-second 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. Aldridge, Allen, Anderson, Belshaw, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Clarke, Dibble, Dolan, Emmons, Ennis, Fontana, Gately, Goff, Guy, Hill, Hudson, Jones, Keegan, Kelly, Kenyon, Landsborough, Leavitt, Lindenberger, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Yolo, Power of San Francisco, Price, Robinson, Ryan, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Wright, and Mr. Speaker—47

NOES—Messrs. Dryden, Elliott, and Houghton—3.

Title read and approved.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 174—An Act entitled an Act to amend an Act entitled 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, by amending the title to said Act, and by amending Sections 1, 4, 7, 8, 9, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 26, 27, 28, 29, and 30 thereof, and by adding three new sections thereto, to be numbered, respectively, Sections 16*a*, 16*b*, and 16*c*, relating to a change in the name of the institution and the powers and duties of the public officers thereof, and the manner and conditions under which commitments may be made thereto, and of the rights and obligations of persons committed thereto, and of the powers and duties of certain public officers in connection therewith, and generally relating to the State school located and established under the aforesaid Act, and now maintained by the State of California at Whittier, in the County of Los Angeles, therein, approved March 23, 1893, by amending Sections 4, 6, 9, and 11.

Read second time.

The following amendment was submitted by the committee:

Amend Section 2 by striking out the words "six hundred," on line 3.

Adopted.

Assembly Bill No. 174 ordered to printer, reëngrossment, and third reading.

Assembly Bill No. 133—An Act authorizing the State Board of Prison Directors to purchase additional machinery for the rock-crushing plant at the Folsom State Prison, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 317—An Act appropriating the sum of $15,000 for the erection, in Golden Gate Park, San Francisco, California, of a monument or statue to the memory of Col. E. D. Baker, and appointment of a commission to carry into effect the provisions of this Act.

Passed on file.

Assembly Bill No. 132—An Act to authorize the erection of a sewage-pumping plant at the Folsom State Prison, and making an appropriation therefor.

Read second time.

Assembly Bill No. 213—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of Southern Pacific Company vs. The Board of Railroad Commissioners of the State of California.

Read second time.

Assembly Bill No. 229—An Act making an appropriation to pay the claim of Sarah H. Wing, for the killing of her husband, O. H. Wing.

Read second time.

Assembly Bill No. 312—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Read second time.

Assembly Bill No. 224—An Act making an appropriation to pay the claim of Luke Kavanagh, for reporting and transcribing testimony for the Board of Health.

Read second time.

Assembly Bill No. 340—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of Southern Pacific Company vs. The Board of Railroad Commissioners.

Read second time.

Mr. Guy moved that the Assembly do now resolve itself into Committee of the Whole, with Speaker Coombs in the chair, for the purpose of considering Assembly Bills Nos. 132, 213, 229, 312, 224, and 340.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bills Nos. 132, 213, 312, 224, 340, and 229 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 132—*An Act to authorize the erection of a sewage-pumping plant at the* Folsom State Prison, and making an appropriation therefor.

Also: Assembly Bill No. 213—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of Southern Pacific Company vs. The Board of Railroad Commissioners of the State of California.

Also: Assembly Bill No. 229—An Act making an appropriation to pay the claim of Sarah H Wing, for the killing of her husband, O. H Wing.

Also: Assembly Bill No. 312—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Also: Assembly Bill No. 224—An Act making an appropriation to pay the claim of Luke Kavanagh, for reporting and transcribing testimony for the Board of Health.

Also: Assembly Bill No 340—An Act making an appropriation to pay the claim of Clement Bennett, for reporting the case of Southern Pacific Company vs. The Board of Railroad Commissioners

And now report the same back to the House, and recommend that Assembly Bills Nos 132, 213, and 224 do pass; and that Assembly Bills Nos. 229 and 312 do pass as amended.

COOMBS, Chairman.

Adopted.

Assembly Bill No. 132—An Act to authorize the erection of a sewage-pumping plant at the Folsom State Prison, and making an appropriation therefor.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 213—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of Southern Pacific Company vs. The Board of Railroad Commissioners of the State of California.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 229—An Act making an appropriation to pay the claim of Sarah H. Wing, for the killing of her husband, O. H. Wing.

The following amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend printed bill, the title, by striking out, after the word "Wing" therein, and inserting the following: "against the State of California, and making an appropriation therefor."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend Section 1 by striking out all after the word "appropriated," in line 2, and inserting the following: "out of any money in the state treasury not otherwise appropriated, to pay the claim of Mrs. Sarah H. Wing against the State of California."

Adopted.

COMMITTEE AMENDMENT No. 3.

Amend by striking out all of line 1, in Section 2, and inserting the following: "The Controller of the State is hereby authorized and instructed to draw his warrant in favor of the said Mrs Sarah H. Wing for the sum of five thousand dollars, and the State Treasurer is hereby authorized and instructed to pay the same."

Adopted.

COMMITTEE AMENDMENT No. 4.

Amend by adding a new section, to be known as Section 3, and to read as follows:

SEC. 3. Said sum shall be in full payment and satisfaction of said claim; and the said Sarah H. Wing shall make and deliver to the Controller, upon the receipt of said warrant, a release of all her claims against the State of California.

Adopted.

COMMITTEE AMENDMENT No. 5.

Amend by adding a new section thereto, to be known as Section 4, to read as follows:

SEC. 4 This Act shall take effect and be in force from and after its passage.

Adopted.

Assembly Bill No. 229 ordered to printer, engrossment, and third reading.

Assembly Bill No. 312—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

The following amendment was submitted:

Amend Section 1 by striking out the word "ten," and inserting in lieu thereof the word "five."

Adopted.

Assembly Bill No. 312 ordered to printer, engrossment, and third reading.

Assembly Bill No. 224—An Act making an appropriation to pay the claim of Luke Kavanagh, for reporting and transcribing testimony for the Board of Health.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 340—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of Southern Pacific Company vs. The Board of Railroad Commissioners.

Ordered to printer, engrossment, and third reading.

MOTIONS.

Mr. Cutter moved that when the Assembly adjourn it be until eleven o'clock A. M., Tuesday, February 23, 1897.

So ordered.

Mr. Belshaw moved that the Assembly do now take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to recede from Senate amendments to Assembly Concurrent Resolution No. 6, and have appointed a committee of conference on same, consisting of Senators Voorheis, Morehouse, and La Rue; and would respectfully request the appointment of a like committee by your honorable body.

F. J. BRANDON, Secretary.

Mr. Belshaw moved that a committee of conference, to meet with a like committee from Senate, be appointed.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, February 20, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the 19th day of February, 1897, receded from amendment to Assembly Bill No. 452, as per your request.

Also: That the Senate, on February 19, 1897, passed Senate Bill No. 491—An Act to amend Sections 3547, 3549, 3553, 3554, and 3555 of the Political Code, and to add a new section thereto, to be known as Section 3557 of the Political Code, relating to State lands, and the foreclosure of delinquent purchasers thereof.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Assembly Bill No. 452 ordered to enrollment.

Senate Bill No. 491—An Act to amend Sections 3547, 3549, 3553, 3554, and 3555 of the Political Code, and to add a new section thereto, to be known as Section 3557 of the Political Code, relating to State lands and the foreclosure of delinquent purchasers thereof.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, February 19, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on February 19th amended, and passed as amended, Assembly Bill No. 418—An Act to amend Section 407 of the Code of Civil Procedure.

Also: Assembly Bill No. 251—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 397 thereof, relating to penalties for selling liquor to habitual or common drunkards and Indians.

Also: Refused passage to Assembly Bill No. 455—An Act to add a new section to the Code of Civil Procedure, to be known as Section 676 thereof, relating to conveyances under order of court.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Assembly Bill No. 418—An Act to amend Section 407 of the Code of Civil Procedure.

The question being, "Shall the Assembly concur in the Senate amendment?"

SENATE AMENDMENT.

Amend by striking out of Section 1, line 15, subdivision 3, the word "and," and inserting the following: "or."

The roll was called, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Belshaw, Bridgford, Burnett, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Cutter, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Guy, Hill, Houghton, Hudson, Kelly, Kenyon, Landsborough, Leavitt, Lindenberger, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Yolo, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Soward, Toland, Treacy, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 418 ordered to enrollment.

Assembly Bill No. 251—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 397 thereof, relating to penalties for selling liquor to habitual or common drunkards and Indians.

The question being, "Shall the Assembly concur in the Senate amendment?"

SENATE AMENDMENT.

The title should be amended by striking out the words "An Act entitled an Act to establish a Penal Code," approved February 14, 1872, by amending; and also strike out the word "thereof"; the words "of the Penal Code" should be inserted after the figures "397."

The roll was called, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs. Aldridge, Allen, Belshaw, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Guy, Hill, Houghton, Hudson, Kelly, Kenyon, Landsborough, Leavitt, Lindenberger, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Yolo, Robinson, Rubell, Ryan, Shanahan, Soward, Toland, Treacy, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 251 ordered to enrollment.

MOTION.

Mr. Dibble moved that the afternoon session of the Assembly be devoted to the reports of committees, introduction of bills, and the second-reading file, and that when the Assembly adjourn this day it be to meet Tuesday, at eleven o'clock A. M.

So ordered.

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 and twenty minutes P. M.

Speaker Coombs in the chair.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897.

MR SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred the following resolution:

Resolved, That the order requiring the State Printer to bind bills in numbers of two hundred each be hereby revoked.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

MELICK, Chairman

Mr. Dibble moved that further consideration of the report of the Committee on Commissions, Retrenchment, and Public Expenditures be laid over until next Tuesday, and make it the special order for that day.

Mr. Canavan moved to indefinitely postpone.

Amendment lost.

Mr. Canavan moved to amend by making the consideration of the resolution Wednesday, instead of Tuesday.

The amendment was adopted.

The motion of Mr. Dibble, as amended, was adopted.

INTRODUCTION OF BILLS.

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

By Mr. Toland: Assembly Bill No. 952—An Act to amend an Act entitled "An Act to create the County of Ventura, to establish the boundaries thereof, and to provide for its organization," approved March 22, 1872, by amending Section 2 thereof, so as to include the whole of the Rancho Conejo within the County of Ventura.

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

Also: Assembly Bill No. 953—An Act to regulate the sale of glucose, and providing a penalty for selling the same under a false name, or in connection with other articles or ingredients, without notice.

Read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 954—An Act to amend an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved March 15, 1880.

Read first time, and referred to Committee on Agriculture.

By Mr. North, of Alameda: Assembly Bill No. 955—An Act to amend an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved March 15, 1880.

Read first time, and referred to Committee on Agriculture.

By Mr. Emmons: Assembly Bill No. 956—An Act relating to the disqualification of District Attorneys in certain cases.

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

By Mr. Clarke: Assembly Bill No. 957—An Act to provide for and to pay for a history of public schools in the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Cutter: Assembly Bill No. 958—An Act to repay and reimburse John C. Pelton for money expended and for services rendered in establishing the first free public school in the State of California.

Read first time, and referred to Committee on Education.

By Mr. Sims: Assembly Bill No. 959—An Act to amend Section 35 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to the duties of Superintendent of Streets in municipalities having a population of over fifty thousand inhabitants.

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

Also: Assembly Bill No. 960—An Act to amend an Act to establish a Civil Code, approved March 21, 1872, by adding a new section thereto, to be numbered Section 364, relating to corporations.

Read first time, and referred to Committee on Corporations.

By Mr. Clarke: Assembly Bill No. 961—An Act making an appropriation to pay the claim of James W. Travers, for advertising the constitutional amendments in the Alameda Daily Evening Encinal.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 962—An Act to amend Section 726 of the Code of Civil Procedure, relating to actions for the foreclosure of mortgages.

Read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 963—An Act amending the Code of Civil Procedure of the State of California, adding a new section thereto, to be known and designated as Section 1408, making the expense of giving a bond by administrators, executors, trustees, receivers, and assigns an expense payable as an expense of administration.

Read first time, and referred to Committee on Judiciary.

By Mr. Caminetti: Assembly Bill No. 964—An Act to amend Section 3930 of the Political Code, relating to the permanent boundary line between the counties of Amador and El Dorado.

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

By Mr. Ryan: Assembly Bill No. 965—An Act to provide for the dissolution of corporations.

Read first time, and referred to Committee on Judiciary.

By Mr. Shanahan: Assembly Bill No. 865—An Act making an appropriation for legislative printing for the thirty-second session of the Legislature.

Referred to Committee on Public Printing.

By Mr. Ryan: Assembly Bill No. 966—An Act to add a new section to the Political Code, to be known as Section 1213, relating to elections.

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

By Mr. Emmons: Assembly Bill No. 967—An Act amending an Act entitled an Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time for such purpose, and to create a Board of Fire Commissioners, approved March 4, 1881, and to add a new section thereto.

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

By Mr. Power, of San Francisco: Assembly Bill No. 968—An Act prohibiting the sending of minors into saloons and places of ill-repute, and fixing the penalty therefor.

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

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897.

MR SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No 854—An Act to amend an Act entitled "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," approved March 15, 1887.

Also: Assembly Bill No 845—An Act to amend an Act entitled "An Act to amend an Act to amend an Act entitled 'An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor,' approved February 26, 1885," approved March 15, 1887.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Education.

LEAVITT, Chairman.

So ordered.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 103—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Assembly Bill No. 197—An Act to amend an Act entitled "An Act for the relief of

insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895, relating to voluntary insolvency.

Assembly Bill No. 202—An Act to amend Section 977 of the Code of Civil Procedure, relating to the filing of papers on appeal to the Superior Court.

Assembly Bill No. 289—An Act amending the Code of Civil Procedure of the State of California, adding a new section thereto, to be known and designated as Section 1408, making the expense of giving a bond by administrators, executors, trustees, receivers, and assignees an expense payable as an expense of administration.

Assembly Bill No. 298—An Act to amend Section 737 of the Political Code.

Assembly Bill No. 125—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered Section 1641, relating to the settlement of accounts of executors and administrators

Assembly Bill No. 186—An Act to amend Section 883 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Assembly Bill No. 539—An Act to amend Section 487 of an Act entitled "An Act to establish a Penal Code" approved February 14, 1872, defining grand larceny.

Assembly Bill No 300—An Act to protect livery-stable keepers, by making certain acts punishable as misdemeanors.

Assembly Bill No. 303—An Act to authorize the Board of Fish Commissioners to purchase or construct a gasoline launch, to aid in carrying out the purposes of said board, and appropriating money therefor.

Assembly Bill No. 206—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in lithographing maps, etc., for the Commissioner of Public Works.

Assembly Bill No. 207—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in furnishing maps to State Mining Bureau.

Assembly Bill No 386—An Act prohibiting the establishing, locating, placing, or maintaining of any hospital, sanitarium, building, or other structure used or intended to be used for the reception, care, or treatment of any person or persons afflicted with any contagious or infectious disease, within three thousand feet of any lake, pond, river, creek, ditch, or reservoir, the water of which is or may be used for domestic purposes other than in said institution; and forbidding any person or corporation from receiving, accepting, caring for, or treating any person or persons afflicted with any contagious or infectious disease in any such hospital, sanitarium, building, or other structure, within three thousand feet of any lake, pond, river, creek, ditch, or reservoir, the water of which is or may be used for domestic purposes other than in said institution.

Assembly Bill No. 585—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

Assembly Bill No. 445—An Act relating to the authorization and employment of a draftsman by Recorders in counties and cities and counties of the first class.

Assembly Bill No. 677—An Act to amend Section 173 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, relating to counties of the eleventh class. (Substitute for Assembly Bill No 532)

Assembly Bill No 204—An Act relating to the compensation of County Recorders in counties where their compensation is fees instead of salary.

Assembly Bill No. 158—An Act to authorize and require the State Board of Harbor Commissioners to commence and complete the construction of a certain portion of the seawall of the port of San Francisco.

Assembly Bill No 554—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Assembly Bill No. 581—An Act to amend Section 266 of the Political Code, relating to the compensation of members of the Legislature, and the mileage allowed to members thereof.

Assembly Bill No. 225—An Act making an appropriation to pay the claim of Clarence S. Merrill, for services as reporter in a court of inquiry of the National Guard of the State of California

Assembly Bill No. 384—An Act to amend Section 3 of an Act entitled "An Act to confer certain powers upon corporations organized for the purpose of discovering and preventing fires, and of saving property and human life from conflagration," approved April 1, 1876

Assembly Bill No 586—An Act to amend Section 574 of the Civil Code, relating to the ownership and disposition of property of savings and loan corporations.

Assembly Bill No. 616—An Act relating to the granting of new franchises, and the renewal of existing franchises, and providing that upon the expiration thereof the corporate property, or property used in connection with the franchise, shall become the property of the county or municipality granting the franchise.

Assembly Bill No. 348—An Act to amend Section 415 of the Political Code, by providing for the purchase of digests of the decisions of the Supreme Court, and their distribution to certain Justices of the Peace.

Assembly Bill No 480—An Act to amend Section 671 of the Code of Civil Procedure of the State of California, relating to judgment liens.

Assembly Bill No. 205—An Act to amend Section 1214 of the Civil Code, relating to the recording of conveyances.

Assembly Bill No 362—An Act entitled an Act to amend the Political Code, by adding a new section prohibiting the imposing of a license upon any person soliciting orders

for the sale of any articles manufactured or produced in this State which, under the laws of the United States, cannot be legally imposed upon persons soliciting orders for the sale of like articles manufactured in any of the States of the United States

Assembly Bill No. 485—An Act to confer further powers upon the Board of Supervisors in the City and County of San Francisco, in relation to the public pound, and the appointment of a poundmaster and deputy poundmasters therefor

Assembly Bill No. 322—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," relating to the estates of deceased persons.

Assembly Bill No 359—An Act to repeal an Act entitled "An Act to define the duties of Inspectors of Rifle Practice of the National Guard of California," approved March 30, 1878.

Assembly Bill No. 360—An Act to amend Section 729, Penal Code, State of California, relating to the National Guard

Assembly Bill No 484—An Act entitled an Act to make the Police Court in counties, cities, and cities and counties, having a population of two hundred thousand inhabitants, a court of record.

Assembly Bill No. 105—An Act to amend Sections 739 and 769 of the Political Code, relating to the appointment of phonographic reporters by the Supreme Court

Assembly Bill No. 55—An Act to amend Section 612 of the Code of Civil Procedure, relating to papers jury may take when retiring.

Assembly Bill No 53—An Act to amend Section 1137 of the Penal Code, relating to papers jury may take when retiring.

Assembly Bill No. 36—An Act to provide for, insure, and maintain preference in places of appointment in the public service of honorably discharged Union soldiers, sailors, and marines of the War of the Rebellion.

Assembly Bill No. 136—An Act to amend the Political Code by creating a new section, entitled 626*j*, relating to protecting wild game.

Assembly Bill No. 382—An Act to repeal Sections 628*a*, 630, 632*a*, 632*b*, and 633, and to amend Sections 628, 635, and 636 of the Penal Code of the State of California, relating to fish

Assembly Bill No. 522—An Act to prohibit the making of contracts or the entry of judgment thereon in any particular or specific kind of money coined or issued by the United States.

Assembly Bill No. 15—An Act to appropriate $1,535 25 to pay the claim of W. W. Foote and Garret W. McEnerney for legal services rendered and expenses incurred by them in that certain action commenced in and decided by the Supreme Court of the State of California, and which was therein entitled "The People of the State of California, on relation of John C. Lynch, petitioner, vs. James H. Budd, respondent," and numbered S. F. No. 600.

Assembly Bill No 66—An Act to enable cities incorporated and operating under a charter framed under Section 8, Article XI, of the Constitution, to abandon and annul such charter and organize under general laws

Assembly Bill No. 646—An Act making an appropriation to pay the claim of James V. Hicks against the State of California.

Assembly Bill No 843—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, by amending Section 1 of said Act.

Assembly Constitutional Amendment No. 1—Proposed amendment to Article XVIII of the Constitution, relative to amendments.

Assembly Constitutional Amendment No 2—Proposed amendment to Article IV of of the Constitution, relating to legislative power.

Assembly Constitutional Amendment No. 3—Proposed amendment to Article XI of the Constitution, relative to elections.

LEAVITT, Acting Chairman.

RESOLUTIONS.

By Mr. Melick:

Resolved, That the Assembly History be hereafter printed semi-weekly instead of daily.

Referred to Committee on Commissions, Retrenchment, and Public Expenditures.

By Mr. Bridgford:

WHEREAS, There is a serious question as to the constitutionality of Senate Bill No. 57 as it now stands; now, therefore, be it

Resolved, That said bill be referred to the Judiciary Committee for its opinion upon that subject.

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

The question being, "Shall the resolution be laid on the table?"

The ayes and noes were demanded by Messrs. Dibble, Bridgford, and Houghton.

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

AYES—Messrs. Aldridge, Allen, Canavan, Clarke, Cutter, Dibble, Dolan, Emmons, Gately, Leavitt, Malcolm, McCandlish, McGrath, Power of San Francisco, Ryan, Shanahan, Toland, Treacy, and Mr. Speaker—19.

NOES—Messrs. Belshaw, Bridgford, Caminetti, Dryden, Ennis, Foreman, Hill, Houghton, Hudson, Kenyon, Landsborough, Lindenberger, Mead, Melick, McClellan, North of Alameda, North of Yolo, Price, Robinson, Rubell, Sanford, and Strain—22.

On motion of Mr. Bridgford, his resolution was referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 635—An Act to amend the Penal Code by adding a new section thereto, to be numbered Section 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies.

Assembly Bill No. 132—An Act to authorize the erection of a sewage-pumping plant at the Folsom State Prison, and making an appropriation therefor.

Assembly Bill No. 213—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of The Southern Pacific Company vs. The Board of Railroad Commissioners of the State of California.

Assembly Bill No 224—An Act making an appropriation to pay the claim of Luke Kavanagh, for reporting and transcribing testimony for the Board of Health.

Assembly Bill No. 340—An Act making an appropriation to pay the claim of Clement Bennett for reporting the case of The Southern Pacific Company vs. The Board of Railroad Commissioners.

LEAVITT, Acting Chairman.

MESSAGES FROM THE SENATE.

Mr. Cross moved that the Assembly do now take up Senate messages. So ordered.

SENATE CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following: Senate Bill No. 550—An Act to amend Section 171 of the Penal Code, relating to unauthorized communication with convicts in the State Prison.

F. J. BRANDON, Secretary.

Senate Bill No. 550—An Act to amend Section 171 of the Penal Code, relating to unauthorized communication with convicts in the State Prison.

Read first time, and referred to Committee on Labor and Capital.

Also:

SENATE CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 20th day of February passed the following. Senate Bill No. 255—An Act to amend Section 1255 of the Code of Civil Procedure, relating to costs in condemnation suits

Also: Senate Bill No. 392—An Act to amend Section 499 of the Civil Code, relating to street railways operated under different managements.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Senate Bill No. 255—An Act to amend Section 1255 of the Code of Civil Procedure, relating to costs in condemnation suits.

Read first time, and placed on file for second reading.

Senate Bill No. 392—An Act to amend Section 499 of the Civil Code, relating to street railways operated under different managements.

Read first time, and placed on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 20th day of February, concurred in Assembly amendment to Senate Bill No. 369.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 316—An Act to provide for increasing the efficiency of fire departments within municipalities of the first class in the State of California, and presented the same to the Governor on this day, at ten o'clock A. M.

FONTANA, Chairman.

LEAVE OF ABSENCE.

Messrs. Belshaw and Wright were granted leave of absence for the balance of the day.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bills Nos. 845 and 854 (identical bills)—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor,' approved February 26, 1885," approved March 15, 1887—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 the substitute do pass.

ROBINSON, Chairman.

Assembly Bills Nos. 845 and 854 withdrawn by authors.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Committee on Education: Assembly Bill No. 970 (Committee Substitute for Assembly Bills Nos. 845 and 854)—An Act to amend "An Act to provide for the compiling, illustrating, electrotyping, printing, and distributing a State series of school text-books, and appropriating money therefor," approved February 26, 1885, by amending Sections 6, 7, and 10 of said Act, and by adding a new section to said Act, numbered 6½, providing for the free distribution of text-books for use in the common schools.

Read first time, and referred to Committee on Education.

By Mr. Clarke: Assembly Bill No. 971—An Act to amend an Act entitled "An Act to create a police relief, health, 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 referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 781—An Act to add a new section to the Political Code, to be known

as Section 2681½, relating to roads and highways—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CLARKE, Chairman.

Assembly Bill No. 781 placed on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 505—*An Act to amend Section 752 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, and that the author be permitted to withdraw the same.

Also: Assembly Bill No. 862—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the powers of the Boards of Trustees of certain cities—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No 584—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, amended March 14, 1889, also March 17, 1891, also March 31, 1891, also March 9, 1893, and also March 11, 1893—have had the same under consideration, and respectfully report the same back without recommendation.

HILL, Acting Chairman.

Assembly Bill No. 505 withdrawn by author.

Assembly Bill No. 862 placed on file for second reading.

Assembly Bill No. 584—An Act to amend Section 5 of 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 first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 745—An Act authorizing 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, to issue bonds therefor, and to provide for the payment of the same—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same, as it corresponds with Senate Bill No. 441, now on the Assembly file.

Also: Assembly Bill No 276—An Act to amend "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting franchises," approved March 23, 1893, and confirming grants of franchises and privileges heretofore made—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, and that the author be permitted to withdraw the same.

HILL, Acting Chairman

Assembly Bill No. 745 placed on file for second reading.

Assembly Bill No. 276 withdrawn by author.

At three o'clock and fifteen minutes P. M., the Speaker called Mr. Chynoweth to the chair.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 203—An Act to amend Section 871 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, and that the author be permitted to withdraw the same.

HILL, Acting Chairman.

Assembly Bill No. 203—An Act to amend Section 871 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 447—An Act to require ordinances and resolutions passed by the City Council or other legislative body of any municipality to be presented to the Mayor or other chief executive officer of such municipality for his approval—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, and that the author be permitted to withdraw the same.

HILL, Acting Chairman.

Assembly Bill No. 447—An Act to require ordinances and resolutions passed by the City Council or other legislative body of any municipality to be presented to the Mayor or other chief executive officer of such municipality for his approval.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 640—An Act to amend Section 752 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendments thereto, approved March 19, 1889, March 5, 1895, and March 26, 1895—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, and that the author be permitted to withdraw the same.

HILL, Acting Chairman.

Assembly Bill No. 640—An Act to amend Section 752 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, March 5, 1895, and March 26, 1895.

Read first time, and placed on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 639—An Act to provide for the care of the dependent and wayward classes—have had the same under consideration, and respectfully report the same back, and recommend that the committee substitute do pass.

GUY, Chairman.

Assembly Bill No. 639—An Act to provide for the care of the dependent and wayward classes.

Read first time, and placed on file for second reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Committee on Ways and Means: Assembly Bill No. 972 (Substitute for Assembly Bill No. 639)—An Act to provide for the care of the dependent and wayward classes.

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

By Mr. Power, of San Francisco: Assembly Bill No. 973—An Act to amend Section 1094 of the Political Code.

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

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 376—An Act to appropriate money for the erection of additional buildings at the Preston School of Industry at Ione, and for furnishing and equipping the same.

Also: Assembly Bill No. 378—An Act to provide for certain improvements at the Preston School of Industry, and making an appropriation therefor

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

GUY, Chairman.

Assembly Bill No. 376—An Act to appropriate money for the erection of additional buildings at the Preston School of Industry at Ione, and for furnishing and equipping the same.

Read first time, and placed on file for second reading.

Assembly Bill No. 378—An Act to provide for certain improvements at the Preston School of Industry, and making an appropriation therefor.

Read first time, and placed on file for second reading.

At three o'clock and thirty minutes P. M., the Speaker resumed the chair.

INTRODUCTION OF JOINT RESOLUTION—(OUT OF ORDER).

By Mr. Toland: Assembly Joint Resolution No. 29—Relative to the manufacture and sale of glucose.

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 520—An Act to amend Section 4161 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to County Treasurer loaning public money or making general deposits—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same, as the Judiciary Committee has declared it unconstitutional

Also: Assembly Bill No. 107—An Act to amend Section 928 of the Penal Code of California, and relating to the appointment of experts to examine the county records—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

BURNHAM, Chairman

Assembly Bill No. 107—An Act to amend Section 928 of the Penal Code of California, and relating to the appointment of experts to examine the county records.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 895—An Act to provide for the sale of an excess of water when owned by a municipality—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BURNHAM, Chairman.

Assembly Bill No. 895 placed on file for second reading.

LEAVE OF ABSENCE.

Mr. Sanford was granted leave of absence for Thursday, Friday, and to-day.

SECOND-READING FILE.

Assembly Bill No. 326—An Act to amend Section 480 of the Civil Code, relating to reports to be made to the Board of Railroad Commissioners by railroad and other transportation companies, and fixing a penalty for failure to comply therewith.

Passed on file.

APPOINTMENT OF COMMITTEE.

The Speaker announced the appointment of committee of conference on Assembly Concurrent Resolution No. 6, as follows: Messrs. Cutter, Valentine, and Shanahan.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 337—An Act to repeal 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 on file.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Power, of San Francisco: Assembly Bill No. 974—An Act relating to canners and canned goods.

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

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 645—An Act to amend Section 737 of the Political Code, fixing and providing for the salaries of the Superior Courts of the City and County of San Francisco, and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, Yolo, and Calaveras, approved March 31, 1891.

Read second time.

The following amendments were submitted:

By Mr. Shanahan:

Amend by striking out of Section 1, line 7, of printed bill, the words "Santa Cruz," and insert in lieu thereof the word "Shasta."

Adopted.

Also: Amend by striking out of Section 1, line 12, the word "Stanislaus."

Adopted.

Also: Amend by striking out of Section 1, lines 13, 14, and 15, the words "the Judges of the Superior Court of the County of Del Norte, two thousand four hundred dollars per annum," and insert the following: "The Judges of the Superior Courts of the counties of Del Norte and Modoc, two thousand four hundred dollars per annum each."

Adopted.

Also. Amend by striking out of Section 1, line 12, the word "Amador," and inserting the word "Amador" in line 10, after the word "Yolo."

Adopted.

By Mr. Dibble:

Amend Section 1, printed bill, by inserting after the word "San Francisco," in line 5, the words "shall be five thousand dollars."

Lost.

By Mr. Bridgford:

Amend by inserting after the word "Yolo," in line 10, the word "Glenn."

The question being on the adoption of the amendment offered by Mr. Bridgford.

The ayes and noes were demanded by Messrs. Dibble, Leavitt, and Ryan.

The roll was called, and pending the announcement of the vote, Mr. Bridgford moved a call of the House.

So ordered.

CALL OF THE HOUSE.

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

So ordered.

The question being on the amendment offered by Mr. Bridgford.

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

AYES—Messrs. Bridgford, Caminetti, Chynoweth, Clarke, Cross, Dibble, Elliott, Ennis, Foreman, Gately, Guy, Hill, Hudson, Kenyon, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Yolo, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Strain, Toland, and Mr. Speaker—36

NOES—Messrs. Allen, Canavan, Cartwright, Dolan, Dryden, and Houghton—6.

Assembly Bill No. 645 ordered to printer, engrossment, and third reading.

MOTIONS.

At three o'clock and fifty-five minutes P. M., Mr. Clarke moved that the House do now adjourn.

Lost.

At four o'clock P. M., Mr. Dibble moved that the House do now adjourn.

Lost.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 739—An Act to amend Section 199 of the Code of Civil Procedure, relative to the disqualification of jurors.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 51—An Act governing the transportation of the insane from the counties in which they have been committed to the asylums of the State of California, and designating the person or persons who shall convey such insane persons to said asylums.

Refused second reading.

Mr. Dibble moved that the Assembly do now reconsider the vote by which Assembly Bill No. 51 was refused second reading.

So ordered.

The question being, "Shall Assembly Bill No. 51 be read second time?"

So ordered.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 523—An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution, to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act.

Read second time.

The following amendment was submitted by the committee:

Amend by striking out of line 15, page 1, the word "twelve"; also, line 15, page 1, the figures "$1200," and inserting the following word: "ten"; also, the figures "$1000."

Adopted.

Assembly Bill No. 523 read second time, ordered to printer, engrossment, and third reading.

Assembly Bill No. 740—An Act to reduce the rates of fares on street railroads within the incorporated limits of municipal corporations of the first class, and to require the issuance of tickets, not exceeding sixty, at reduced rates to any one person.

Mr. Cross moved that Assembly Bill No. 740 be recommitted to the Committee on Corporations.

Motion lost.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 741—An Act to regulate the salaries of certain officers in the police department within municipalities of the first class in the State of California, and to provide for the appointment and salaries of other officers of such department.

Read second time, and ordered engrossed and to third reading.

ADJOURNMENT.

At four o'clock and ten minutes P. M., on motion of Mr. Melick, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 23, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Guy, Harris, Hill, Houghton, Hudson, Jones, Keegan, Kenyon, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Waymire, Wright and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF JOURNAL.

The reading of the Journal of Saturday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Friday, February 19th, was approved as corrected.

LEAVE OF ABSENCE.

Messrs. Canavan, Emmons, Keables, Vosburg, and Soward were granted leave of absence for the day.

Mr. Austin was excused for being absent last Friday and Saturday.

SPECIAL ORDERS.

Assembly Bill No. 796—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 bonds.

Passed temporarily on file.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 847—An Act to provide for the transfer from Whittier State School at Whittier of the girls heretofore committed thereto under the laws of this State, and for their maintenance and care, as well as that of such other girls as shall be hereafter so committed under said law, and to establish, maintain, and locate in the County of Santa Clara, State of California, on that certain tract of land belonging to the State of California, and heretofore used by the California Home for the Care and Training of Feeble-Minded Children, in the town of Santa Clara, in said county, an institution for the discipline, education, employment, reformation, and protection of female juvenile delinquents, to be known as "The Santa Clara State School," and to make an appropriation therefor.

Assembly Bill No. 739—An Act to amend Section 199 of the Code of Civil Procedure, relative to the disqualification of jurors.

Assembly Bill No 51—An Act governing the transportation of the insane from counties in which they have been committed to the asylums of the State of California, and designating the person or persons who shall convey such insane persons to said asylums.

Assembly Bill No. 740—An Act to reduce the rates of fares on street railroads within the incorporated limits of municipal corporations of the first class, and to require the issuance of tickets, not exceeding sixty, at reduced rates, to any one person.

Assembly Bill No 741—An Act to regulate the salaries of certain officers in the police department within municipalities of the first class, in the State of California, and to provide for the appointment and salaries of other officers of such departments.

AUSTIN, Chairman.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 727—An Act entitled an Act to form agricultural districts, to provide for formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal all Acts and parts of Acts in conflict with this Act.

Mr. Melick moved to amend Assembly Bill No. 727 by striking out lines 16 and 17.

The above amendment, pending, was withdrawn by Mr. Melick.

The following amendments were submitted:

By the committee:

COMMITTEE AMENDMENT No. 1.

Amend by striking out everything following the enacting clause down to Section 2, and inserting the following:

SECTION 1. The several counties of this State are divided and classified into agricultural districts, and numbered as follows, to wit:

The Counties of San Francisco and Alameda shall constitute Agricultural District Number One.

The County of San Joaquin shall constitute Agricultural District Number Two.

The County of Butte shall constitute Agricultural District Number Three.

The Counties of Sonoma and Marin shall constitute Agricultural District Number Four.

The Counties of San Mateo and Santa Clara shall constitute Agricultural District Number Five.

The County of Los Angeles shall constitute Agricultural District Number Six.

The County of Monterey shall constitute Agricultural District Number Seven.

The County of El Dorado shall constitute Agricultural District Number Eight.

The County of Humboldt shall constitute Agricultural District Number Nine.

The County of Siskiyou shall constitute Agricultural District Number Ten.

The Counties of Plumas and Sierra shall constitute Agricultural District Number Eleven; *provided*, that the first fair held in the Eleventh Agricultural District after the passage of this Act shall be held in Sierra County; the next fair in Plumas County, and thereafter said counties shall so alternate in holding such fairs.

The Counties of Lake and Mendocino shall constitute Agricultural District Number Twelve

The County of Santa Cruz shall constitute Agricultural District Number Fourteen.

The County of Kern shall constitute Agricultural District Number Fifteen.

The County of San Luis Obispo shall constitute Agricultural District Number Sixteen.

The County of Nevada shall constitute Agricultural District Number Seventeen.

The Counties of Mono, Alpine, and Inyo shall constitute Agricultural District Number Eighteen.

All that portion of Santa Barbara County lying east of the Gaviota and south of Santa Ynez Mountains shall constitute Agricultural District Number Nineteen.

The County of Placer shall constitute Agricultural District Number Twenty.

The Counties of Fresno and Madera shall constitute Agricultural District Number Twenty-one.

The County of San Diego shall constitute Agricultural District Number Twenty-two.

The County of Contra Costa shall constitute Agricultural District Number Twenty-three

The Counties of Tulare and Kings shall constitute Agricultural District Number Twenty-four.

The County of Napa shall constitute Agricultural District Number Twenty-five.

The County of Amador shall constitute Agricultural District Number Twenty-six.

The Counties of Shasta and Trinity shall constitute Agricultural District Number Twenty-seven.

The Counties of San Bernardino and Riverside shall constitute Agricultural District Number Twenty-eight.

The County of Tuolumne shall constitute Agricultural District Number Twenty-nine.

The County of Tehama shall constitute Agricultural District Number Thirty.

The County of Ventura shall constitute Agricultural District Number Thirty-one.

The County of Orange shall constitute Agricultural District Number Thirty-two.

The County of San Benito shall constitute Agricultural District Number Thirty-three.

The County of Modoc shall constitute Agricultural District Number Thirty-four.

The Counties of Merced and Mariposa shall constitute Agricultural District Number Thirty-five.

The County of Solano shall constitute Agricultural District Number Thirty-six

All that portion of Santa Barbara County not included in Agricultural District Number Nineteen shall constitute Agricultural District Number Thirty-seven.

The County of Stanislaus shall constitute Agricultural District Number Thirty-eight.

The County of Calaveras shall constitute Agricultural District Number Thirty-nine.

The County of Yolo shall constitute Agricultural District Number Forty.

The County of Del Norte shall constitute Agricultural District Number Forty-one.

The Counties of Glenn and Colusa shall constitute Agricultural District Number Forty-two.

The County of Lassen shall constitute Agricultural District Number Forty-three.

By Mr. Price:

Amend Committee Amendment No 1, Section 1, Forty-second District, by changing "counties" to "county," and striking out the words "and Colusa"

So ordered.

Also: Amend Committee Amendment No. 1, Section 1, by adding a new district, as follows: The County of Colusa shall constitute Agricultural District Number Forty-four.

So ordered.

The question being on the committee amendment as amended.

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by inserting after the word "with," in Section 12, the word "this."

Adopted.

By Mr. Clarke:

Amend the amendment by adding thereto, after the paragraph relative to District No 44, the words "the County of Sacramento shall constitute Agricultural District Number Forty-five."

Lost.

Assembly Bill No. 727 ordered to reëngrossment and third reading.

RESOLUTION.

By Mr. Price:

Resolved, That the Ways and Means Committee is hereby instructed to consider and report, as a part of the General Appropriation Bill, an amendment containing such amounts as may be considered best for the several agricultural districts.

Mr. Price moved that the rules be suspended and the resolution adopted.

Mr. Mead moved that the resolution be referred to Committee on Commissions, Retrenchment, and Public Expenditures.

Lost.

The ayes and noes were demanded by Messrs. Belshaw, Mead, and Melick.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Bettman, Bridgford, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dolan, Dryden, Elliott, Ennis, Goff, Guy, Harris, Hill, Jones, Kelly, Kenyon, Landsborough, Leavitt, Malcolm, Moultrie, McLaurin, North of Yolo, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Waymire, and Mr. Speaker—48.

NOES—Messrs. Belshaw, Boone, Foreman, Gately, Houghton, Lindenberger, Mead, Melick, McCandlish, and McClellan—10.

PETITION.

Mr. North, of Yolo, presented a petition from citizens of Winters, asking for the enactment of a Sabbath law.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 167—An Act to amend Sections 867 and 869 of the Code of Civil Procedure, relating to provisional remedies in Justices' Courts

Also: Assembly Bill No. 390—An Act to amend Section 2939 of the Civil Code of the State of California, relating to the satisfaction of mortgages.

Also: Assembly Bill No. 411—An Act to amend Section 1033 of the Code of Civil Procedure, relative to costs in civil actions in courts

Also: Assembly Bill No. 479—An Act to amend Section 681 of the Code of Civil Procedure of the State of California, relating to executors

Also: Assembly Bill No. 726—An Act to amend Section 717 of the Civil Code of the State of California, relative to leases of lots

Also: Assembly Bill No. 858—An Act to amend Section 1235 of the Penal Code of the State of California, relating to appeals in criminal cases.

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

WAYMIRE, Chairman.

Assembly Bills Nos. 726 and 858 placed on file for second reading.

Assembly Bill No. 167—An Act to amend Sections 867 and 869 of the Code of Civil Procedure, relating to provisional remedies in Justices' Courts.

Read first time, and placed on file for second reading.

Assembly Bill No. 390—An Act to amend Section 2939 of the Civil Code of the State of California, relating to the satisfaction of mortgages.

Read first time, and placed on file for second reading.

Assembly Bill No. 411—An Act to amend Section 1033 of the Code of Civil Procedure, relative to costs in civil actions in courts.

Read first time, and placed on file for second reading.

Assembly Bill No. 479—An Act to amend Section 681 of the Code of Civil Procedure of the State of California, relating to executors.

Read first time, and placed on file for second reading.

At twelve o'clock and thirty minutes P. M., on motion of Mr. Waymire, the hour of recess was extended fifteen minutes.

MOTION.

Mr. Price moved that Assembly Bill No. 727 retain its place on file.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 571—An Act to amend Section 1524 of the Penal Code, relating to the issuing of search warrants.

Also: Assembly Bill No 611—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 numbered 3805½, relative to the revenue and taxation of this State.

Also: Assembly Bill No. 671—An Act to amend Section 1585 of the Code of Civil Procedure of the State of California, relating to the settlement of the accounts of a deceased partner by the surviving partner.

Also: Assembly Bill No. 822—An Act to amend Section 1382 of the Penal Code of the State of California, relating to the dismissal of actions.

Also: Assembly Bill No. 866—An Act to add a new section to the Penal Code, tobe, known as Section 1424, relative to the manner of applying for pardons.

Also: Assembly Bill No. 729—An Act to amend Section 3571 of the Political Code, relating to the repayment of purchase price of land sold which is not the property of the State, and providing for a certificate of restitution to issue when the certificate of purchase to such land has been annulled for non-payment of interest

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

WAYMIRE, Chairman.

Assembly Bill No. 571—An Act to amend Section 1524 of the Penal Code, relating to the issuing of search warrants.

Read first time, and placed on file for second reading.

Assembly Bill No. 611—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 numbered 3805½, relative to the revenue and taxation of this State.

Read first time, and placed on file for second reading.

Assembly Bills Nos. 671, 822, 866, and 729 placed on file for second reading.

ON JUDICIARY—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 882—An Act to amend Section 718 of the Civil Code, regarding the length of leases of city lots—have had the same under consideration, and the undersigned minority respectfully report the same back, and recommend that it do not pass.

H. H. NORTH.
TOLAND.

Assembly Bill No. 882 placed on file for second reading.

RECESS.

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

REASSEMBLED.

The Assembly reassembled at two o'clock and twenty minutes P. M.
Speaker pro tem. Kenyon in the chair.
Quorum present.

SENATE SPECIAL FILE.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Passed on file.

Mr. Dibble moved that the special order set to be considered after reports of committees be continued and taken up after consideration of Senate special file.

So ordered.

Senate Bill No. 145—An Act to amend Section 475 of the Code of Civil Procedure of the State of California, relating to errors and defects and reversals of judgments and orders.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Damon, Dibble, Elliott, Ennis, Fontana, Gately, Goff, Hill, Hudson, Jones, Keegan, Kenyon, Leavitt, Lindenberger, Mahoney, Mead, Melick, Moultrie, Mulcrevy, McCandlish, McLaurin, North of Alameda, Pohlmann, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—43.
NOES—None.

Title read and approved.

Senate Bill No. 113—An Act to amend Section 685 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.

Senate Bill No. 155—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.

Passed on file.

Senate Bill No. 57—An Act to regulate and govern the operation of the rock-crushing plant at the State Prison at Folsom, to provide for the sale of crushed rock and the disposition of the revenues derived therefrom.

Passed on file.

LEAVE OF ABSENCE.

Speaker Coombs was granted leave of absence until to-morrow at eleven o'clock A. M.

Mr. Breiling was granted leave of absence for the day.

Mr. Valentine was excused for absence on last Saturday.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 32—An Act to amend Section 3633 of the Political Code of the State of California, relating to the assessment of property of persons neglecting or refusing to make and give to the Assessor a statement of his property.

Read third time.

The question being on the final passage of the bill.

Pending roll call, Mr. Dibble moved a call of the House, seconded by Messrs. Jones and Mulcrevy.

The roll was called, and before the result was announced, Mr. North, of Alameda, moved that further proceedings under call of the House be dispensed with.

So ordered.

The roll call was finished, and the bill refused passage by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Boone, Burnett, Caminetti, Chynoweth, Cross, Dolan, Dryden, Elliott, Fontana, Goff, Harris, Hill, Houghton, Jones, Keegan, Kenyon, Lindenberger, Mahoney, Mead, Melick, Moultrie, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, Pohlmann, Rubell, Ryan, Sanford, Stansell, Toland, Treacy, Valentine, and Vosburg—39.

NOES—Messrs. Arnerich, Belshaw, Bettman, Cutter, Dennery, Dibble, Gately, Guy, Hudson, Kelly, Leavitt, Malcolm, North of Alameda, North of Yolo, Price, Robinson, Waymire, and Wright—18.

NOTICE OF RECONSIDERATION.

Mr. Dibble gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 32 was refused third reading.

Senate Bill No. 106—An Act to amend Section 412 of the Penal Code, relating to boxing or sparring matches, and prize or ring fights.

Refused third reading.

NOTICE OF RECONSIDERATION.

Mr. Toland gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 106 was refused passage.

Senate Bill No. 104—An Act prohibiting ring-fights, prize-fights, glove contests, or any other premeditated fight, contest, or contention, by what-

soever name or names it or they may be called, and prescribing penalties for the violation thereof.

Refused third reading.

NOTICE OF RECONSIDERATION.

Mr. Toland gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 104 was refused third reading.

Senate Bill No. 13—An Act to amend an Act entitled "An Act to create a police relief, health, 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 passed by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Bettman, Boone, Bridgford, Burnett, Chynoweth, Cross, Cutter, Dennery, Dibble, Dolan, Dryden, Elliott, Fontana, Gately, Godfrey, Goff, Harris, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Kenyon, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Moultrie, Mulcrevy, McCandlish, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlmann, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—54.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Anderson was granted leave of absence for half an hour.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 53—An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, 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. Aldridge, Allen, Austin, Bettman, Bridgford, Burnett, Chynoweth, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Godfrey, Goff, Harris, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Kenyon, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Mulcrevy, McGrath, McLaurin, North of Alameda, North of Yolo, Price, Robinson, Rubell, Ryan, Sanford, Stansell, Toland, Treacy, Waymire, and Wright—43

NOES—Messrs. Gately, Melick, and McCandlish—3.

Title read and approved.

Senate Bill No. 7—An Act providing for the election or appointment 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 such Judges.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Bridgford, Burnett, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Gately, Godfrey, Goff, Harris, Houghton, Hudson, Jones, Kelly, Kenyon, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McLaurin, North of Alameda, North of Yolo, Price, Robinson, Ryan, Sanford, Shanahan, Stansell, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—44.

NOES—None.

Title read and approved.

Senate Bill No. 44—An Act to amend Section 1189 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. Aldridge, Allen, Austin, Belshaw, Boone, Bridgford, Burnett, Chynoweth, Cross, Cutter, Damon, Dibble, Dryden, Fontana, Godfrey, Goff, Harris, Houghton, Hudson, Jones, Kelly, Kenyon, Leavitt, Lindenberger, Mahoney, Mead, Melick, McCandlish, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Ryan, Sanford, Shanahan, Stansell, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—46.

NOES—None.

Title read and approved.

At three o'clock and thirty minutes P. M., Speaker pro tem. Kenyon called Mr. Valentine to the chair.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 629—An Act to amend Section 1727 of the Code of Civil Procedure, relating to the appointment, bond, and oath of Public Administrators.

Also: Assembly Bill No. 670—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 1641 of the Code of Civil Procedure of the State of California, relating to the accounts of executors and administrators.

Also: Assembly Bill No. 799—An Act to amend Section 138 of the Civil Code of the State of California, providing for the custody, care, and education of minor children.

Also: Assembly Bill No. 861—An Act to amend Section 224 of the Civil Code, regarding the adoption of children.

Also: Assembly Bill No. 353—An Act to amend Section 1881 of the Code of Civil Procedure of the State of California, relating to the examination of witnesses holding certain relations.

Also: Assembly Bill No. 368—An Act to amend Section 1881 of the Code of Civil Procedure, to provide that persons in certain relations to parties are prohibited from testifying.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be permitted to withdraw them.

WAYMIRE, Chairman.

Assembly Bill No. 670 placed on file for second reading.

Assembly Bills Nos. 629, 799, 861, 353, and 368 withdrawn by authors.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 54—An Act to amend Section 1093 of the Penal Code, relating to order of trial.

Also: Assembly Bill No 56—An Act to amend Section 607 of the Code of Civil Procedure of the State of California, relating to order of procedure on trial

Also: Assembly Bill No 58—An Act to amend Section 398 of the Code of Civil Procedure, relating to a change of place of trial.

Have had the same under consideration, and respectfully report the same back, and recommend that the author (Mr. Sanford) be permitted to withdraw them, as this committee has this day reported back Senate Bills Nos. 111, 116, and 126, which are identical with the above mentioned Assembly bills respectively.

Also: Assembly Bill No. 823—An Act to amend Section 977 of the Code of Civil Procedure of California

Also: Assembly Bill No. 844—An Act to amend Section 348 of the Code of Civil Procedure, relating to the time in which action can be brought to recover money or other property deposited with any bank or banker, trust company, or savings and loan society, or to recover any tax or impost, or to enforce any lien created to secure the payment thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 569—An Act to add a new section to the Penal Code, to be

designated as Section 354¾, making it a misdemeanor to deface, obliterate, cover up, or conceal the duly filed trademark or name of another, printed or otherwise attached to any cask, keg, bottle, vessel, siphon, can, or other package.

Also: Assembly Bill No. 570—An Act to add a new section to the Penal Code, to be designated as Section 354½, making it a misdemeanor to fill, sell, buy, or otherwise dispose of, or traffic in any cask, keg, bottle, vessel, siphon, can, case, or other package bearing the duly filed trademark or name of another, printed, branded, stamped, engrossed, etched, blown, or otherwise attached or produced thereon.

Also: Assembly Bill No. 572—An Act to amend Section 1536 of the Penal Code, relating to the disposition of property taken on a search warrant.

Also: Assembly Bill No 683—An Act to amend Sections 1464, 1465, 1466, 1467, 1468, and 1469 of the Code of Civil Procedure, and repealing Section 1470 thereof, relating to the provisions for the support of the families of deceased persons.

Also: Assembly Bill No 695—An Act to exempt all honorably discharged soldiers, sailors, or marines, who served at least ninety days in the War of the Rebellion, from payment of any road tax, road poll tax, and head tax.

Also: Assembly Bill No. 820—An Act to amend Section 1446 of the Penal Code of the State of California, relating to fine and imprisonment.

Also: Assembly Bill No. 821—An Act to amend Section 637 of the Civil Code of the State of California, relating to building and loan associations.

Also: Assembly Bill No. 882—An Act to amend Section 718 of the Civil Code, relating to the length of leases of city lots.

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

WAYMIRE, Chairman.

Assembly Bills Nos. 54, 56, and 58 withdrawn by author.

Assembly Bills Nos. 823 and 844 placed on file for second reading.

Assembly Bill No. 569—An Act to add a new section to the Penal Code, to be designated as Section 354¾, making it a misdemeanor to deface, obliterate, cover up, or conceal the duly filed trademark or name of another, printed or otherwise attached to any cask, keg, bottle, vessel, siphon, can, or other package.

Read first time, and placed on file for second reading.

Assembly Bill No. 570—An Act to add a new section to the Penal Code, to be designated as Section 354½, making it a misdemeanor to fill, sell, buy, or otherwise dispose of, or traffic in any cask, keg, bottle, vessel, siphon, can, case, or other package bearing the duly filed trademark or name of another, printed, branded, stamped, engrossed, etched, blown, or otherwise attached or produced thereon.

Read first time, and placed on file for second reading.

Assembly Bill No. 572—An Act to amend Section 1536 of the Penal Code, relating to the disposition of property taken on a search warrant.

Read first time, and placed on file for second reading.

Assembly Bills Nos. 683, 695, 820, 821, and 882 placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 111—An Act to amend Section 1093 of the Penal Code, relating to order of trial

Also: Senate Bill No, 114—An Act to amend Section 1127 of the Penal Code, relating to charging the jury

Also: Senate Bill No. 116—An Act to amend Section 398 of the Code of Civil Procedure, relating to a change of place of trial.

Also: Senate Bill No. 334—An Act to amend Section 613 of an Act entitled "An Act to establish a Civil Code," approved March 12, 1872, relating to cemetery corporations.

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

Also: Senate Bill No. 141—An Act to amend Sections 541 and 542 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 that it do not pass.

WAYMIRE, Chairman.

ON JUDICIARY—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No 141—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments—have had the same under consideration, and the undersigned minority respectfully reports the same back, and recommends that it do pass.

H. H. NORTH.

Senate Bills Nos. 111, 114, 116, 141, and 334 placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 8—An Act to amend Section 1880 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 be re-referred to Committee on Revision of Codes and Statutes.

Also: Senate Bill No. 42—An Act to amend Section 224 of the Civil Code of California, relating to the adoption of orphan, half orphan, or abandoned children.

Also: Senate Bill No. 126—An Act to amend Section 607 of the Code of Civil Procedure of the State of California, relating to order of procedure on trial.

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

WAYMIRE, Chairman.

Senate Bill No. 8 re-referred to Committee on Revision of Codes and Statutes.

Senate Bills Nos. 42 and 126 placed on file for second reading.

ON CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 392—An Act to amend Section 499 of the Civil Code, relating to street railways operated under different managements—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 327—An Act adding a new section to the Civil Code, relating to the location of and to compel the construction of depots, stations, sidetracks, switches, turnouts, and spurs, by transportation companies in the State of California, and fixing a penalty for failure to comply thereto—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

CUTTER, Chairman.

Senate Bill No. 392 and Assembly Bill No. 327 placed on file for second reading.

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No 916—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. 892—An Act to amend an Act entitled "An Act to provide a system of drainage for agricultural, swamp, and overflowed lands," approved March 3, 1881, by amending Section 9 thereof.

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

A. W. NORTH, Chairman.

Assembly Bills Nos. 892 and 916 placed on file for second reading.

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred Assembly resolution as follows:

Resolved, That the Assembly History be hereafter printed semi-weekly instead of daily.

Have had the same under consideration, and recommend that it be adopted.

MELICK, Chairman.

Ruled out of order by the Chair, under Joint Rule XLI.

ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the contest of J. D. Kelsey vs. J. J. McLaurin, for a seat in the Assembly from the Fifty-fifth Assembly District, in the County of Santa Clara, beg leave to report that they have had the same under consideration, and after an examination of the testimony, and counting the ballots, find that the contestant, J. D. Kelsey, received one thousand six hundred and ninety-seven (1,697) legal ballots and votes, and that the contestee, J. J. McLaurin, received one thousand six hundred and eighty-six (1,686) legal ballots and votes, and they therefore find, and so report to the Assembly, that the contestant, J. D. Kelsey, is now entitled to the office and seat in the Assembly as member of the Assembly from the Fifty-fifth Assembly District, Santa Clara County, now occupied by the contestee and respondent, J J. McLaurin, and they recommend the adoption of the following resolution, to wit:

Resolved, That J. D. Kelsey is hereby seated as a member of the Assembly of the State of California, in the thirty-second session, from the Fifty-fifth Assembly District, in the place and stead of J. J. McLaurin; and the Chief Clerk is hereby instructed to administer the oath of office to said J. D. Kelsey, and enter his name upon the roll of membership of this body.

KENYON, Chairman.

Mr. Dibble moved that the consideration of the report of Committee on Contested Elections be made special order for to-morrow, immediately after reading of the Journal.

Mr. Caminetti moved to amend, and recommit to the Committee on Contested Elections, with instructions to subpœna the election officers of Crandleville precinct.

The question being on the amendment offered by Mr. Caminetti.

CALL OF THE HOUSE.

Pending roll call, Mr. Dibble moved a call of the House.

The question being on the adoption of Mr. Dibble's motion.

The ayes and noes were demanded by Messrs. Caminetti, McCandlish, and Toland.

The roll was called, and a call of the House ordered by the following vote:

AYES—Messrs. Arnerich, Austin, Belshaw, Bettman, Burnham, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Guy, Hill, Hudson, Jones, Kelly, Kenyon, Leavitt, Malcolm, Melick, McLaurin, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Valentine, Vosburg, and Waymire—36.

NOES—Messrs. Aldridge, Allen, Anderson, Boone, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Goff, Houghton, Lacy, Landsborough, Mahoney, Mulcrevy, McCandlish, McClellan, McGrath, Rubell, Sanford, Shanahan, Toland, and Treacy—27.

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

So ordered.

Mr. Dibble moved to amend his original motion so that the further consideration of the report of the Committee on Contested Elections be made special order for to-morrow morning immediately after reading of the Journal, and that the Committee on Contested Elections be instructed to submit a statement of the facts proven in this contest to the Assembly.

So ordered.

At four o'clock and twenty-five minutes P. M., Mr. Bettman moved that the Assembly take a recess until seven o'clock and thirty minutes P. M.

Lost.

Mr. Dibble moved that all special orders, with the exception of Assembly Bill No. 796, be deferred until to-morrow, and made special orders immediately after the consideration of the McLaurin-Kelsey contest matter.

So ordered.

Mr. Dibble moved to adopt the report of the Committee on Rules, as published in yesterday's Journal.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 796—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 bonds.

AUSTIN, Chairman.

RECESS.

At four o'clock and thirty-five minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and forty-five minutes P. M.

Speaker pro tem. Kenyon in the chair.

Quorum present.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 138—An Act entitled "An Act to amend Section 2003 of the Political Code."

Assembly Bill No. 434—An Act to amend Sections 7 and 9 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 as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

AUSTIN, Chairman.

SPECIAL URGENCY FILE.

Mr. Dibble moved that the second reading of bills be taken up first.

So ordered.

Assembly Bill No. 395—An Act to amend an Act entitled "An Act to establish a tax on collateral inheritance bequests and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893.

Read second time.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

In line 28 of Section 1 of printed bill, strike out the words "social, religious."

Adopted.

COMMITTEE AMENDMENT No. 2.

In line 32 of Section 1 of printed bill, strike out the word "religious."

Adopted.

COMMITTEE AMENDMENT No. 3.

In line 1 of Section 2 of printed bill, strike out the word and figure "Sec. 2."

Adopted.

COMMITTEE AMENDMENT No. 4.

Strike out the figure "3" in the last line of the printed bill, and insert instead the figure "2."

Adopted.

Bill ordered to engrossment, printer, and third reading, but to retain place on special urgency file.

Assembly Bill No. 770—An Act to add a new section to the Civil Code, to be known as Section 2949 thereof, relating to the sale and redemption of property sold under a power of sale in mortgages for trust deeds. (Substitute for Assembly Bill No. 148.)

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 431—An Act to amend Section 3641 of the Political Code, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue.

Read second time.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend Section 3641 of the Political Code by striking out all after the word "invalid" in line 14 of the printed bill, down to and including the word "control," in line 17 of the printed bill, and insert the following: "He must exact from each person a statement, under oath, setting forth specifically all the real property owned by him within the county, and all personal property owned by him, or in his possession, or under his control, in any county in the State, at twelve o'clock meridian on the first Monday in March."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend Section 3641 of the Political Code, Section 1, by striking out all after the word "statement" in line 79 of the printed bill, down to and including the word "sixty" in line 80 of the printed bill, and inserting the following: "as required by law."

Adopted.

Assembly Bill No. 431 ordered to engrossment, printer, and third reading, and to be placed on unfinished-business file.

Assembly Bill No. 433—An Act to amend Section 3608 of the Political Code of California, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue.

Read second time, ordered to engrossment, third reading, and to be placed on unfinished-business file.

Assembly Bill No. 432—An Act to add a new section to the Political Code, to be known as Section 3609 thereof, relating to the general revenue of this State, and to property liable to taxation for the purpose of revenue.

Read second time.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend Section 1 of the printed bill by striking out the words "as a bank," at the end of line 6.

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend Section 1 of the printed bill by striking out the words "banking association or banking corporation," in line 7.

Adopted.

Assembly Bill No. 432 ordered to engrossment, printer, and third reading, and to be placed on unfinished-business file.

Assembly Bill No. 785—An Act to amend Section 602 of the Civil Code, relating to corporations sole.

Read second time.

The following amendment was submitted by Mr. Dibble:

Amend by striking out all after the word "property," in line 21, Section 1, down to and including the word "and" in the same line.

Adopted.

Assembly Bill No. 785 ordered to engrossment, printer, and third reading, and to be placed on unfinished-business file.

Assembly Bill No. 892—An Act to amend an Act to provide a system of drainage for agricultural swamp and overflowed lands, approved March 3, 1881, by amending Section 9 thereof.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 916—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 engrossment and third reading.

Assembly Bill No. 713—An Act making an appropriation for the erection of a ward building for the Southern California State Asylum for the Insane and Inebriates.

Read second time.

Mr. Guy moved that the Assembly do now resolve itself into Committee of the Whole, with Speaker pro tem. Kenyon in the chair, for the purpose of considering Assembly Bill No. 713.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Kenyon in the chair.

Assembly Bill No. 713 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Kenyon in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 713—An Act making an appropriation for the erection of a ward building for the Southern California State Asylum for the Insane and Inebriates—have amended the same, and now report the same back, and recommend that the same do pass as amended.

KENYON, Chairman.

Adopted.

The following amendments were submitted:

By the committee:

Amend Section 1 by inserting after the word "inebriates," in the fifth line, the words "for the erection of a ward building."

Adopted.

Also: Amend Section 1, line 1, by changing the word "eighty-five" to "seventy," so that it read "seventy thousand dollars."

Lost.

By Mr. Bettman:

Amend by striking out the words "eighty-five thousand dollars," and inserting the following: "fifty thousand dollars."

Adopted.

Assembly Bill No. 713 ordered to engrossment, printer, and third reading, and to be placed on unfinished-business file.

Assembly Bill No. 694—An Act authorizing municipal corporations to lease, purchase, own, and operate gravel-beds and quarries, and to transport gravel and rock therefrom to such municipal corporations, for the purpose of making, improving, and repairing roads.

Read second time.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Strike out the words "voting for the same," in line 20, Section 2.

Adopted.

COMMITTEE AMENDMENT No. 2.

Strike out Section 4.

Adopted.

COMMITTEE AMENDMENT No. 3.

Strike out "Sec. 5," in Section 5, and insert in lieu thereof "Sec. 4."

Adopted.

Assembly Bill No. 694 ordered to engrossment, printer, and third reading, and to be placed on unfinished-business file.

Assembly Bill No. 876—An Act to regulate the business of commission merchants, agents, factors, or brokers dealing in farm produce, grain, fruit, seeds, honey, or dairy produce.

Read second time.

The following amendments were submitted:

By the committee:

Amend line 10 of Section 1 of the original bill, after the word "conditions," by inserting the following: "in a city or city and county having more than three thousand inhabitants."

Lost.

By Mr. North, of Yolo:

Amend by inserting on page 3, after line 16, the following:

"SEC. 5. Any person who violates any of the provisions of this Act shall be guilty of a misdemeanor."

Adopted.

Also: Amend by striking out of page 3, line 16, the figure "5" after the word "Section," and inserting the following: "6."

Adopted.

Also: Amend by inserting in Section 1, line 9, the word "poultry" after the word "produce" and before the word "grain."

Adopted.

By Mr. Bettman:

Amend by striking out of Section 2, line 2, the words "twenty thousand," and inserting the following: "one thousand."

Mr. Price moved to amend the amendment of Mr. Bettman by striking out the words "one thousand," and inserting the following: "ten thousand."

So ordered.

The question now recurring on the amendment offered by Mr. Bettman, as amended.

Adopted.

By Mr. Treacy:

As a substitute for the pending amendments, amend by striking out of Section 2, line 2, the words "twenty thousand" and inserting the following: "five thousand."

Lost.

Assembly Bill No. 876 ordered to engrossment, printer, and third reading, and to be placed on unfinished business file.

LEAVE OF ABSENCE.

Mr. Henry was granted a leave of absence for the day.

At eight o'clock and fifty-five minutes P. M., Speaker pro tem. Kenyon called Mr. North, of Alameda, to the chair.

THIRD READING OF BILLS.

Senate Bill No. 538—An Act ceding to the United States of America jurisdiction over all lands within this State which have been or may hereafter be acquired by the United States for military 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. Aldridge, Austin, Belshaw, Bettman, Bridgford, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Ennis, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Kenyon, Landsborough, Leavitt, Lindenberger, Melick, Moultrie, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Sims, Shanahan, Stansell, Strain, Treacy, Vosburg, Waymire, and Wright—53.

NOES—Mr. Gately—1.

Title read and approved.

At nine o'clock P. M., Mr. Boone was called to the chair.

Senate Bill No. 539—An Act relinquishing to the United States of America the title of this State to certain lands.

Read third time.

Mr. North, of Alameda, moved to refer to a select committee of one, with instructions to amend Senate Bill No. 539, on line 6, Section 1, of the printed bill, by inserting after the words "purposes or defense" the words "lying adjacent and contiguous to any island the title to which is in the United States, or which island is reserved by the United States for any military or naval purposes, or for defense."

So ordered.

Mr. Boone, acting Speaker, appointed Mr. North, of Alameda, such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 539, with instructions to amend as follows: By inserting on line 6 of Section 1 of the printed bill, after the words "purposes or defense," the words "lying adjacent and contiguous to any island the title to which is in the United States, or which island is reserved by the United States for any military or naval purposes, or for defense," respectfully report the same back, amended as per instructions.

H. H. NORTH, Committee.

Report adopted.

Mr. Bridgford moved to refer to a select committee of one, with instructions to amend as follows:

Amend by inserting at the end of line 17: "*And provided further*, that this State reserves the right to serve and execute on said lands all civil process, not incompatible with this cession, and such criminal process as may lawfully issue under the authority of this State against any person or persons charged with crimes committed without said lands."

So ordered.

Mr. Bridgford was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 539—An Act relinquishing to the United States of America the title of this State to certain lands—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.

BRIDGFORD, Committee.

Report adopted.

Assembly Bill No. 539 ordered to printer.

RESOLUTION—(CASES OF URGENCY).

By Mr. Cutter:

Resolved, That Assembly Bills Nos. 770, 484, 892, and 916, and each of them, present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills and each of them be read the third time, and placed upon their passage.

The question being on the adoption of the resolution.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Gately, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Melick, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Sims, Shanahan, Strain, Treacy, Vosburg, Waymire, and Wright—61.

NOES—None.

CASES OF URGENCY.

Assembly Bill No. 770—An Act to add a new section to the Civil Code, to be known as Section 2949 thereof, relating to the sale and redemption of property sold under a power of sale in mortgages for trust deeds.

Assembly Bill No. 770 was ordered considered engrossed and to third reading.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bridgford, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Ennis, Fontana, Gately, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Kelly, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Melick, Mulcrevy, McCandlish, McLaurin, North of Alameda, North of Yolo, Power of San Francisco, Price, Robinson, Rubell, Shanahan, Stansell, Strain, Treacy, Vosburg, Waymire, and Wright—53.

NOES—None.

Title read and approved.

At ten o'clock and twenty minutes P. M., Mr. North, of Alameda, was called to the chair.

Assembly Bill No. 843—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, by amending Section 1 of said 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. Allen, Arnerich, Austin, Belshaw, Bettman, Bridgford, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dolan, Dryden, Elliott, Fontana, Gately, Goff, Guy, Harris, Henry, Hill, Houghton, Jones, Keegan, Kelly, Kenyon, Landsborough, Leavitt, Lindenberger, Melick, Mulcrevy, McCandlish, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Sims, Shanahan, Stansell, Strain, Treacy, Vosburg, Waymire, and Wright—54.

NOES—None

Title read and approved.

Mr. Shanahan gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 843 was finally passed.

Assembly Bill No. 434—An Act to amend Sections 7 and 9 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 as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank 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. Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Bridgford, Burnett, Caminetti, Chynoweth, Clarke, Cross, Cutter, Dennery, Dibble, Ennis, Fontana, Gately, Goff, Guy, Harris, Henry, Houghton, Hudson, Jones, Keegan, Kelly, Kenyon, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McGrath, McLaurin, North of Alameda, Pohlmann, Power of San Francisco, Price, Robinson, Shanahan, Stansell, Strain, Toland, Treacy, and Waymire—47.

NOES—None.

Title read and approved.

Assembly Bill No. 484—An Act entitled an Act to make the Police Court in counties, cities, and cities and counties, having a population of two hundred thousand inhabitants, a court of record.

Mr. Mulcrevy moved to refer to a select committee of one, with instructions to amend as follows:

By striking out in Section 3 the words "This Act shall take effect immediately," and substitute therefor the words "This Act shall take effect on the first Monday in the year eighteen hundred and ninety-nine."

Mr. Mulcrevy was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 484—An Act to make the Police Courts in counties, cities, and cities and counties, having a population of two hundred thousand inhabitants, a court of record—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.

MULCREVY, Committee.

Report adopted.

Assembly Bill No. 484 ordered to printer.

Assembly Bill No. 892—An Act to amend an Act to provide a system of drainage for agricultural swamp and overflowed lands, approved March 3, 1881, by amending Section 9 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. Aldridge, Allen, Arnerich, Austin, Burnett, Burnham, Caminetti' Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Ennis, Gately, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Kenyon, Landsborough, Lindenberger, Mahoney, Mead, Melick, McCandlish, McGrath, McLaurin, North of Alameda, Power of Placer, Price, Robinson, Stansell, Strain, Toland, Treacy, Waymire, and Wright—44.

NOES—Mr. McClellan—1.

Title read and approved.

Assembly Bill No. 916—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands.

Ordered considered engrossed and to third reading.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Arnerich, Austin, Bettman, Boone, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Gately, Goff, Guy, Harris, Henry, Hill, Hudson, Jones, Keegan, Kelly, Kenyon, Landsborough, Leavitt, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McLaurin, North of Alameda, Pohlmann, Price, Robinson, Shanahan, Strain, Toland, Treacy, Valentine, Waymire, and Wright—46

NOES—Messrs. Houghton, McClellan, and Power of Placer—3.

Title read and approved.

Assembly Bill No. 138—An Act entitled an Act to amend Section 2003 of the Political 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. Allen, Arnerich, Austin, Bettman, Boone, Burnett, Burham, Caminetti, Chynoweth, Clarke, Cutter, Damon, Dennery, Dibble, Ennis, Gately, Goff, Guy, Harris, Henry, Hill, Hudson, Jones, Keegan, Kelly, Kenyon, Landsborough, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, North of Alameda, Power of Placer, Price, Robinson, Shanahan, Strain, Toland, Treacy, Valentine, and Waymire—43.

NOES—None.

Title read and approved.

ADJOURNMENT.

At ten o'clock and fifty-five minutes P. M., on motion of Mr. Toland, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 24, 1897.

The Assembly met pursuant to adjournment.

Speaker pro tem. Kenyon in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Ennis, Foreman, Gately, Godfrey, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, Mulcrevy, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, and Wright.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

LEAVE OF ABSENCE.

Mr. Keables was granted leave of absence for the day, and Mr. Foreman for roll call this morning.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Saturday, February 20th, was approved as corrected.

SPECIAL ORDERS.

Assembly Bill No. 796—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 bonds.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Boone, Breiling, Bridgford, Burnett, Burnham, Cartwright, Chynoweth, Clarke, Cross, Damon, Dibble, Dryden, Elliott, Ennis, Foreman, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McClellan, North of Yolo, Pohlmann, Power of Placer, Robinson, Rubell, Sanford, Strain, Toland, Treacy, Valentine, Vosburg, and Wright—53.

NOES—Mr. Soward—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Cartwright gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 796 was finally passed.

At ten o'clock and five minutes A. M., Speaker pro tem. Kenyon called Mr. Valentine to the chair.

SPECIAL ORDER—REPORT OF COMMITTEE ON CONTESTED ELECTIONS.

Report of Committee on Contested Elections, and statement of facts involved in contest of Kelsey vs. McLaurin:

MR SPEAKER: Your Committee on Contested Elections, to whom was referred the contest of J. D. Kelsey vs. J. J. McLaurin, for a seat in the Assembly from the Fifty-fifth Assembly District, in the County of Santa Clara, beg leave to report that they have had the same under consideration, and after an examination of the testimony, and counting the ballots, find that the contestant, J. D. Kelsey, received one thousand six hundred and ninety-seven (1,697) legal ballots and votes, and that the contestee, J. J. McLaurin, received one thousand six hundred and eighty-six (1,686) legal ballots and votes, and they therefore find, and so report to the Assembly, that the contestant, J. D. Kelsey, is now entitled to the office and seat in the Assembly as member of the Assembly from the Fifty-fifth Assembly District, Santa Clara County, now occupied by the contestee and respondent, J. J. McLaurin, and they recommend the adoption of the following resolution, to wit:

Resolved, That J. D. Kelsey is hereby seated as a member of the Assembly of the State of California, in the thirty-second session, from the Fifty-fifth Assembly District, in the place and stead of J. J. McLaurin; and the Chief Clerk is hereby instructed to administer the oath of office to said J. D. Kelsey, and enter his name upon the roll of membership of this body.

KENYON, Chairman.

SUPPLEMENTARY REPORT.

MR. SPEAKER: In pursuance with the instructions of the House, your Committee on Contested Elections herewith beg leave to give a brief résumé of the action of said committee in the contest of Kelsey vs. McLaurin, as follows:

In opening said case, the attorneys for both contestant and contestee agreed to abide by the result of a recount of the ballots in the Fifty-fifth Assembly District, which ballots were sent for and counted, and ballots challenged acted upon as follows:

PRECINCT No. 1.

One ballot, having nineteen Electors voted thereon, was counted for McLaurin.

PRECINCT No. 2.

One ballot, voted for one more Elector than necessary, had the additional Elector marked off with pencil. Same counted for Kelsey.

PRECINCT No. 3.

Eight ballots voted for McLaurin and one ballot voted for Kelsey, having spots in texture of paper, were counted for those for whom voted; also, one ballot marked with crosses in pencil, and voted for McLaurin, was rejected; also, one ballot, marked with pen "Electors not counted," and voted for McLaurin, was rejected; also, one ballot marked with some article other than regular stamp, and voted for Kelsey, was rejected; also, one ballot, having a double stamp, and voted for Kelsey, was counted; and one ballot, faintly marked, and voted for McLaurin, counted.

PRECINCT No. 5.

One ballot, marked with pencil cross, in addition to stamp, voted for Kelsey, was rejected; and one, having a double cross, voted for Kelsey, was counted.

PRECINCT No. 6.

One ballot, torn in two and pieces missing, and voted for McLaurin, was rejected.

PRECINCT No. 9.

One ballot, having "Bryan" written across face, and voted for McLaurin, was rejected.

PRECINCT No. 10.

One ballot, having small pencil checks, voted for McLaurin, was rejected; and one ballot having pencil crosses in addition to stamp, and voted for Kelsey, was rejected.

PRECINCT No. 11.

Two mutilated ballots, one voted for Kelsey and one for McLaurin, were both rejected.

PRECINCT No. 13.

One mutilated ballot, voted for McLaurin, was rejected; also, one ballot marked with other article than stamp, was rejected; and one ballot, having the name of "Kelsey" marked out with four stamps, was rejected.

PRECINCT No 14.

One ballot, having a cross in ink on back, and voted for McLaurin, was rejected.

PRECINCT No. 15.

One ballot, marked with some article other than stamp, and voted for Kelsey, was rejected; and one ballot, having eighteen Electors voted for, and voted for Kelsey, was so counted.

PRECINCT No. 17.

One ballot, marked with other article than stamp, and voted for McLaurin, was rejected; and one ballot, marked with double stamp, was counted for Kelsey.

PRECINCT No. 18.

Fourteen ballots, having pencil check marks, and voted for McLaurin, were rejected.
Respectfully submitted.

KENYON, Chairman.

Mr. Kenyon moved that the report and resolution which accompanied the report be adopted.

Mr. Caminetti moved to amend the motion of Mr. Kenyon, that the report be recommitted to committee, with instructions to take testimony as to the pencil marks upon the ballots, referred to in the report, and to report their findings upon the question as to when and by whom those marks were made.

PREVIOUS QUESTION.

Pending the consideration of the motion of Mr. Caminetti, the previous question was demanded by Messrs. Arnerich, Cutter, and Leavitt.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the amendment offered by Mr. Caminetti.

The ayes and noes were demanded by Messrs. Caminetti, Price, and Cutter.

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

AYES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Cartwright, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Hill, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Moultrie, McCandlish, McClellan, McGrath, Rubell, Ryan, Sanford, Shanahan, Soward, Toland, and Treacy—30.

NOES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goodhue, Guy, Harris, Henry, Hudson, Jones, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Sims, Stansell, Strain, Valentine, Vosburg, Waymire, and Wright—42.

NOTICE OF RECONSIDERATION.

Mr. Caminetti gave notice that on next legislative day he would move to reconsider the vote whereby his motion to recommit was lost.

Ruled out of order by the Chair.

Mr. Caminetti moved to reconsider the vote whereby his motion to recommit was lost.

Mr. Cutter raised point of order that previous question led direct to main question.

The Chair ruled point of order well taken.

Mr. Caminetti appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair be sustained?"

The ayes and noes were demanded by Messrs. Caminetti, Bridgford, and Toland.

The roll was called, and the decision of the Chair sustained by the following vote:

AYES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Strain, Vosburg, Waymire, and Wright—42.

NOES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Moultrie, Mulcrevy, McCandlish, McClellan, McGrath, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—30.

The question being on the adoption of the report and resolution offered by the Committee on Contested Elections.

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

AYES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnham, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goodhue, Guy, Harris, Henry, Hudson, Jones, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Sims, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—45.

NOES—Messrs. Aldridge, Allen, Boone, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Hill, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Moultrie, Mulcrevy, McCandlish, McClellan, McGrath, Rubell, Ryan, Sanford, Shanahan, and Soward—29.

NOTICE OF RECONSIDERATION.

Mr. Bridgford gave notice that on next legislative day he would move to reconsider the vote whereby the report and resolution of Committee on Contested Elections were adopted.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 727—An Act entitled an Act to form agricultural districts, to provide for formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal all Acts and parts of Acts in conflict with this Act.

Passed on file.

Mr. Dibble moved that the Senate message in regard to Senate Concurrent Resolution No. 6 be now called up.

So ordered.

PROTEST.

Mr. Bridgford offered the following protest, and asked that it be published in the Journal.

So ordered.

WHEREAS, The report of the Committee on Elections, which report recommended the unseating of McLaurin and the seating of the contestant, Kelsey; and

WHEREAS, Before the vote was taken upon the adoption of said report, I offered the following motion, to wit:

WHEREAS, It appears from the admission of the members of the Election Committee that there was no testimony taken touching the pencil marks upon the ballots under discussion; and

WHEREAS, It is contended that under such a state of facts the presumption of law is that such marks were not there when the ballots were taken from the box; and

WHEREAS, If the presumption of law is as claimed, said ballots should be counted by this House; now, therefore, be it

Resolved, In order that this House may be correctly informed as to the legal persumption in such cases, said question be submitted to them (which motion the Speaker declined to take notice of, even to hear it read); and

WHEREAS, Under like conditions, I made an effort to prove to this House by competent testimony that the ballots which the committee rejected in its report, and refused to count because of certain pencil marks, contained no such pencil marks at the time they were taken from the ballot-box by the election officers, and the Speaker then in the chair refused even to hear such offer. I now, therefore, enter my protest against such action, particularly as it results in overruling the expressed will of the people of the Fifty-fifth Assembly District

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 23, 1897.

MR SPEAKER I am directed to inform your honorable body that the Senate on February 23, 1897, adopted Senate Concurrent Resolution No. 6, relative to suspending Joint Rule XLVIII.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

MOTIONS.

Mr. Dibble moved that Senate Concurrent Resolution No. 6 be returned to the Senate, and that the Senate be respectfully informed that the Assembly declines to consider the question of the right of a Senator to introduce a bill in the Senate; furthermore, that the Senate be respectfully informed that, in the opinion of the Assembly, the right of a member of either house to introduce a bill upon any matter, after fifty days from the commencement of the session, with the consent of two thirds of the members of the house in which such bill is offered by a member thereof, is a constitutional right which cannot be limited or controlled by a rule of either house, or of a joint rule of the two houses; that in so far as Joint Rule XLVIII attempts to limit the right of a member to introduce a bill as suggested, it is, in the opinion of the Assembly, absolutely void.

Adopted.

Mr. Dibble moved that a message be sent to the Senate requesting a conference of the two houses, with the view of the immediate abrogation of Joint Rules XL and XLVIII, which are, in the opinion of the Assembly, unconstitutional and void, in that they attempt to limit the constitutional prerogatives of the separate houses in the matter of the consideration and passage of bills, and the constitutional prerogative of the members of the two houses in the matter of the introduction of bills.

Adopted.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 496—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, concerning the right of eminent domain—and presented the same to the Governor on this day, at ten o'clock and thirty minutes A. M.

Also: Assembly Bill No. 419—An Act to amend Section 542 of the Code of Civil Procedure

Also: Assembly Bill No. 76—An Act to amend Section 261 of the Penal Code of the State of California, relating to the crime of rape, and what constitutes the same.

And presented the same to the Governor on this day, at twelve o'clock and thirty minutes P. M.

Also: Assembly Bill No. 840—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Also: Assembly Bill No. 418—An Act to amend Section 407 of the Code of Civil Procedure.

Also: Assembly Bill No. 251—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 397 thereof, relating to penalties for selling liquor to habitual or common drunkards and Indians.

And presented the same to the Governor on this day, at three o'clock P. M.

FONTANA, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 433—An Act to amend Section 3608 of the Political Code of California, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue.

AUSTIN, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No 5—A resolution to propose to the people of the State of California an amendment to Section 1 of Article XIII of the Constitution, in relation to revenue and taxation—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

SIMS, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 582—An Act making an appropriation for the purpose of dredging Humboldt Bay, and naming the commissioners who shall have charge thereof.

Also: Assembly Bill No. 320—An Act making an appropriation to pay the expenses of experts, and the costs and expenses of litigation, of the suit now pending in the Circuit Court of the United States for the Northern District of California, wherein the Southern Pacific Company is plaintiff and the Board of Railroad Commissioners of the State of California is defendant.

Have had the same under consideration, and respectfully report the same back without recommendation.

GUY, Chairman.

Assembly Bill No. 582—An Act making an appropriation for the purpose of dredging Humboldt Bay, and naming the commissioners who shall have charge thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 320—An Act making an appropriation to pay the expenses of experts, and the costs and expenses of litigation of the suit now pending in the Circuit Court of the United States for the Northern District of California, wherein the Southern Pacific Company is plaintiff and the Board of Railroad Commissioners is defendant.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 692—An Act entitled an Act to provide for a State Food Commissioner, assistants, salary, expenses, and duties—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also: Assembly Bill No. 325—An Act to provide for the completion and equipment of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California, and to make an appropriation therefor.

Also: Senate Bill No. 155—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.

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

GUY, Chairman.

Assembly Bill No. 692 placed on file for second reading.

Assembly Bill No. 325—An Act to provide for the completion and

equipment of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California, and to make an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 155 placed on Senate special file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

MR SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 926—An Act giving a lien to blacksmiths, woodworkers, and all other persons employed upon any vehicle or implement of husbandry, for labor performed or material furnished upon the same, and providing for liens upon horses and other animals, for the cost of shoeing the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DENNERY, Chairman.

Assembly Bill No. 926 placed on file for second reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Bill No. 922—An Act regulating the importation of diseased cattle into the State of California, providing for the inspection of cattle now in the State, and for the inspection of dairy products, and providing for the appointment of a quarantine officer and inspectors, and the locating of quarantine stations for such purposes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GOODHUE, Chairman.

Assembly Bill No. 922 placed on file for second reading.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

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

Resolved, That B. D. Martin be and he is hereby appointed Watchman in and for the lobby, at a per diem of $4, to be paid out of the Contingent Fund of the Assembly, pay to begin February 1st. The Controller is hereby directed to draw his warrant, and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

VOSBURG, Chairman.

Report adopted.

ON REVISION OF CODES AND STATUTES

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Senate Bill No 8—An Act to amend Section 1880 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 pass.

DIBBLE, Chairman.

Senate Bill No. 8 placed on file for second reading.

MOTIONS.

Mr. Clarke moved that the consideration of Assembly Bills Nos. 902, 903, 904, and 905, which were the special order for eleven o'clock A. M. to-day, be made the special order for three o'clock and thirty minutes P. M. to-day, immediately after the consideration of Senate special file.

So ordered.

The hour of recess was extended five minutes, on motion of Mr. Dibble.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 776—An Act to amend Section 2 of an Act entitled "An Act to create the County of Madera, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county," approved March 11, 1893—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.

Also: Assembly Bill No. 696—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 not pass.

HUDSON, Chairman.

Assembly Bill No. 776 withdrawn by author.

Assembly Bill No. 696 placed on file for second reading.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: Your Committee on Military Affairs beg leave to report that, in conformity with resolution adopted February 19, 1897, they visited San Francisco and attended a review of the National Guard, and now present their account for expenses, as follows:

John Cross	$10 00
T. H. Goff	10 00
Leon E. Jones	10 00
H. T. Power	10 00
George B. Godfrey	10 00
J. J. McLaurin	10 00
Frank Mahoney	10 00
Total	$70 00

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of John Cross, Chairman of said committee, for the sum of $70, 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.

CROSS, Chairman.

Adopted.

SUB-COMMITTEE ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: Your Sub-Committee on State Hospitals and Asylums beg leave to report that in discharge of their duties they have visited the buildings and grounds of the former Home for Feeble-Minded at Santa Clara, in order to determine whether the said home is suitable as a school for the girls at Whittier, and are entitled to actual expenses as follows: Malcolm, Chairman; J. J. McLaurin, $8 each.

Resolved, That the Controller is hereby directed to draw his warrant for the sum of $16, payable to N. E Malcolm, and the Treasurer is directed to pay the same out of the Contingent Fund of the Assembly.

MALCOLM, Chairman.

Adopted.

RECESS.

At twelve o'clock and thirty-three minutes P. M., Mr. Clarke moved that the Assembly do now take a recess until two o'clock P. M.

So ordered.

REASSEMBLED.

The Assembly reassembled at two o'clock and ten minutes P. M.

Speaker Coombs in the chair.

Quorum present.

MESSAGES FROM THE SENATE.

Mr. Dibble moved that the Assembly do now consider Senate messages.

So ordered.

SENATE CHAMBER, SACRAMENTO, February 23, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 20th day of February passed the following: Senate Bill No. 273—An Act to amend Section 1313 of the Civil Code, relating to restriction on the power of devise to charitable uses.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Mr. Malcolm moved that Senate Bill No. 273 be substituted for Assembly Bill No. 307, and placed on Senate special file.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, February 23, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following substitute for Senate Bill No. 182—An Act to provide for the inspection of dairies, creameries, and cheese factories as to their sanitary condition, and as to the health of dairy animals, and to prevent the sale of milk and butter and cheese made from milk drawn from diseased animals to the people of this State, and to prevent the spread of contagious and infectious diseases, and to appropriate money therefor.

Also: Senate Bill No 442—An Act to add a new section to the Code of Civil Procedure, to be known as Section 1792½ thereof, relating to the sale of the interest of a ward in homestead property.

Also: Senate Bill No. 351—An Act entitled "An Act to amend Section 1196 of the Political Code," relating to elections.

Also: Senate Bill No. 348—An Act prohibiting the establishing, locating, placing, or maintaining of any hospital, sanitarium, building, or other structure used, or intended to be used, for the reception, care, or treatment of any person or persons afflicted with any contagious or infectious disease, within three thousand feet of any lake, pond, river, creek, ditch, or reservoir, the water of which is or may be used for domestic purposes other than in said institution; and forbidding any person or corporation from receiving, accepting, caring for, or treating any person or persons afflicted with any contagious or infectious disease in any such hospital, sanitarium, building, or other structure within three thousand feet of any lake, pond, river, creek, ditch, or reservoir, the water of which is or may be used for domestic purposes other than in such institution.

Also: Senate Bill No. 515—An Act prescribing the manner of locating and relocating mining claims and millsites upon the public domain of the United States, recording notices of location thereof, amending defective locations, and providing for the deposit of district records with County Recorders.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Senate Bill No. 182—An Act to provide for the inspection of dairies, creameries, and cheese factories as to their sanitary condition, and as to the health of dairy animals, and to prevent the sale of milk and butter and cheese made from milk drawn from diseased animals to the people of this State, and to prevent the spread of contagious and infectious diseases, and to appropriate money therefor.

Read first time, and referred to Committee on Agriculture.

Senate Bill No. 442—An Act to add a new section to the Code of Civil Procedure, to be known as Section 1792½ thereof, relating to the sale of the interest of a ward in homestead property.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 351— Act entitled "An Act to amend Section 1196 of the Political Code, relating to elections."

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

Senate Bill No. 348—An Act prohibiting the establishing, locating, placing, or maintaining of any hospital, sanitarium, building, or other structure used, or intended to be used, for the reception, care, or treatment of any person or persons afflicted with any contagious or infectious

disease, within three thousand feet of any lake, pond, river, creek, ditch, or reservoir, the water of which is or may be used for domestic purposes other than in said institution; and forbidding any person or corporation from receiving, accepting, caring for, or treating any person or persons afflicted with any contagious or infectious disease in any such hospital, sanitarium, building, or other structure within three thousand feet of any lake, pond, river, creek, ditch, or reservoir, the water of which is or may be used for domestic purposes other than in said institution.

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

Senate Bill No. 515—An Act prescribing the manner of locating and relocating mining claims and millsites upon the public domain of the United States, recording notices of location thereof, amending defective locations, and providing for the deposit of district records with County Recorders.

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

Also:

SENATE CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 23d day of February passed the following:

Senate Bill No 90—An Act for the relief of district agricultural associations.

Also: Senate Bill No. 102—An Act to provide for the acquisition or condemnation of water by municipalities, and for the sale of an excess of water when owned by a municipality.

Also: Senate Bill No 489—An Act to amend Section 3051 of the Civil Code, relative to sale of stock left in pasture or stables.

Also: Senate Bill No. 524—An Act to provide for the marking by monuments of a portion of the eastern boundary line of the State of California, and to appropriate money therefor.

Also: Senate Bill No. 535—An Act to add a new section to the Penal Code, to be designated as Section 354¾, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

Also: Senate Bill No. 541—An Act to amend an Act entitled "An Act concerning the waterfront of the City and County of San Francisco," approved March 15, 1878.

F. J. BRANDON, Secretary.
By D. E. MCKINLAY, Assistant.

Mr. Anderson moved that Senate Bill No. 102 be placed on the Senate special file, and that he, as author, be allowed to withdraw Assembly Bill No. 895.

So ordered.

Senate Bill No. 90—An Act for the relief of district agricultural associations.

Read first time, and referred to Committee on Agriculture.

Senate Bill No. 102—An Act to provide for the acquisition or condemnation of water by municipalities, and for the sale of an excess of water when owned by a municipality.

Read first time, and placed on Senate special file.

Senate Bill No. 489—An Act to amend Section 3051 of the Civil Code, relative to sale of stock left in pasture or stables.

Read first time, and referred to Committee on Agriculture.

Senate Bill No. 524—An Act to provide for the marking by monuments of a portion of the eastern boundary line of the State of California, and to appropriate money therefor.

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

Senate Bill No. 535—An Act to add a new section to the Penal Code, to be designated as Section 354¾, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

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

Senate Bill No. 541—An Act to amend an Act entitled "An Act concerning the waterfront of the City and County of San Francisco," approved March 15, 1878.

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

Also:

SENATE CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 23d day of February concurred in Assembly amendments to Senate Bills Nos. 145 and 13.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 23, 1897.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos 12, 415, and 21.

JAMES H. BUDD, Governor.

MOTION.

Mr. Leavitt moved that the vote by which Assembly Bill No. 843 passed the House be now reconsidered, notice having been given.

Lost.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 751—An Act to amend Title XII, Division I, Part IV, of the Civil Code, relative to benevolent corporations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 873—An Act to amend Section 307 of an Act entitled "An Act to establish a Civil Code," relating to the formation of corporations—have had the same under consideration, and respectfully report the same back, with amendments, and without recommendation.

CUTTER, Chairman.

Assembly Bill No. 873 placed on file for second reading.

MOTION.

Mr. Dibble moved to reconsider the vote by which Senate Bill No. 32 was refused passage, and that the motion to reconsider Senate Bill No. 32 be made the special order for to-morrow, immediately preceding the consideration of Senate special file.

So ordered.

REPORT OF CONFERENCE COMMITTEE.

MR. SPEAKER: The undersigned, the conference committee appointed on the part of the Assembly to meet a like committee appointed by the Senate, with reference to disa-

greement between the two houses upon Assembly Concurrent Resolution No 6, respectfully report, recommending that the Senate recede from its amendment to the resolution, and ask that the committee be discharged.

VOORHEIS.
LA RUE.
MOREHOUSE.
CUTTER.
VALENTINE.
SHANAHAN.

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 151—An Act to provide the mode for changing grades of public streets, lanes, alleys, courts, and places within municipalities 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.

VALENTINE, Chairman.

Assembly Bill No. 151—An Act to provide the mode of changing grades of public streets, lanes, alleys, courts, and places within municipalities in the State of California.

Read first time, and placed on file for second reading.

At three o'clock P. M., the Speaker called Mr. Caminetti to the chair.

SPECIAL ORDER.

REPORT OF COMMITTEE ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897.

MR. SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred the following resolution:

Resolved, That the order requiring the State Printer to bind bills in numbers of two hundred each be hereby revoked.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

MELICK, Chairman.

Mr. Melick moved the adoption.

Lost.

SENATE SPECIAL FILE.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Passed on file.

Senate Bill No. 113—An Act to amend Section 685 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.

Senate Bill No. 155—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.

Passed on file.

Senate Bill No. 57—An Act to regulate and govern the operation of the rock-crushing plant at the State Prison at Folsom, to provide for the sale of crushed rock and the disposition of the revenues derived therefrom.

Passed on file.

Senate Bill No. 189—An Act to amend Sections 566 and 641 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, in relation to receivers and referees.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Clarke, Cross, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, Power of Placer, Price, Robinson, Rubell, Ryan, Sims, Shanahan, Soward, Strain, Toland, Treacy, and Valentine—53.

NOES—None.

Title read and approved.

Senate Bill No. 373—An Act to amend Section 456 of the Civil Code, relating to railroads.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Burnett, Caminetti, Clarke, Damon, Dennery, Dibble, Dolan, Elliott, Ennis, Fontana, Goodhue, Harris, Hill, Houghton, Jones, Kelly, Kenyon, Landsborough, Lindenberger, Malcolm, Mead, Melick, Moultrie, Mulcrevy, McCandlish, North of Alameda, Pohlmann, Price, Rubell, Sims, Shanahan, Soward, Strain, Toland, Treacy, Vosburg, and Waymire—45.

NOES—Messrs. McClellan, Power of Placer, and Power of San Francisco—3

Title read and approved.

Senate Bill No. 129—An Act to amend Section 164 of the Civil Code of the State of California, relating to conveyances of real property by married women, and limiting the time in which to commence actions for recovery of community property by husbands.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Austin, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Clarke, Cross, Damon, Dennery, Dolan, Dryden, Fontana, Foreman, Harris, Hill, Houghton, Keegan, Kelly, Kenyon, Landsborough, Lindenberger, Malcolm, Melick, Moultrie, McCandlish, McClellan, North of Alameda, Pohlmann, Price, Rubell, Sims, Shanahan, Soward, Stansell, Strain, Toland, and Waymire—43.

NOES—None.

Title read and approved.

Senate Bill No. 33—An Act for the certification of land titles, and the simplification of the transfer of real estate.

Passed on file.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been returned from the State Printer, not engrossed, for the reason that

the State Printing Office is now closed, by reason of the strike of the employés thereof, and that he is unable to engross the following Assembly bills within the time of forty-eight hours, as prescribed by law: Said bills being numbered 308, 122, 278, 85, 427, 440, 504, 310, 62, 653, 311, 297, 307, 281, 229, 312, and 174.

AUSTIN, Chairman.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 128—An Act to amend Section 1723 of the Code of Civil Procedure, relating to the disposition of life estates, or homestead or community property, on owner's death, in certain 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. Aldridge, Allen, Austin, Belshaw, Bettman, Boone, Breiling, Burnett, Caminetti, Cartwright, Clarke, Cross, Cutter, Dennery, Dibble, Dryden, Elliott, Foreman, Gately, Goodhue, Harris, Hill, Houghton, Kelly, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, Mulcrevy, McCandlish, McGrath, North of Alameda, Price, Rubell, Sims, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Mr. Cartwright was granted leave to withdraw his notice of reconsideration of the vote whereby Assembly Bill No. 796 was passed.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 23d day of February amended, and passed as amended, the following: Assembly Bill No. 17—An Act fixing the minimum rate of compensation for labor on public works.

Also: Assembly Bill No. 170—An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Assembly Bill No. 17—An Act fixing the minimum rate of compensation for labor on public works.

Mr. Dibble moved that Assembly Bill No. 17 lie over for further consideration, under Senate messages.

Assembly Bill No. 170—An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law.

The following Senate amendment was submitted:

Amend by inserting the word "represented" between the words "California" and "in," in the enacting clause.

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. Aldridge, Allen, Arnerich, Austin, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Clarke, Cutter, Dibble, Dolan, Dryden, Foreman, Godfrey, Goodhue, Harris, Henry, Houghton, Hudson, Jones, Kelly, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, McCandlish, McGrath, North of Alameda, Power of Placer, Power of San Francisco, Rubell, Ryan, Sims, Soward, Stansell, Strain, Valentine, Vosburg, and Waymire—49.

NOES—Mr. McClellan—1.

Assembly Bill No. 170 ordered to enrollment.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Senate Bill No. 140—An Act providing for general primary elections 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, and for other purposes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

H. H. NORTH, Chairman.

Mr. Dibble moved that Assembly Bill No. 140 be sent to printer, with committee amendments properly compiled, and the same printed and ordered on Senate special file for second reading.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 902—An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employés thereof, and to provide for the compensation of said officers and employés, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year. (Substitute for Assembly Bill No. 673.)

Read second time.

The following amendment was submitted by Mr. Price:

Amend by striking out Section 2 and inserting the following:

SEC. 2 Immediately upon the taking effect of this Act, the Governor, by and with the consent and advice of the Senate, shall appoint one person as a Highway Commissioner, who shall be selected with particular reference to his qualification for practical knowledge of highway location, construction, and maintenance, who shall be a civil engineer of at least five years' experience in this State in the practice of his profession. The Surveyor-General and the Controller shall be ex officio Highway Commissioners, without compensation, except as in this Act provided for expenses of said Highway Commissioners The first mentioned member of the Highway Commissioners shall devote his entire time to the service of the State, and shall not actively engage in any other pursuit, and shall personally perform or superintend all the engineering work of the department: *provided*, that for the first year after the passage of this Act the department may be allowed to engage the assistance of County Surveyors for engineering work done in their respective counties upon receiving the unanimous approval of the State Board of Examiners.

Lost.

At four o'clock and twenty minutes P. M., Speaker Coombs resumed the chair.

Assembly Bill No. 903—An Act to provide for the location, construction, and maintenance of State highways in the several counties of the State, and to define the duties of certain State officers and county and district officials in connection therewith. (Substitute for Assembly Bill No. 650.)

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 904—An Act to provide for the classification of the roads in the State of California. (Substitute for Assembly Bill No. 674.)

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 905—An Act to provide for the location, construction, and maintenance of highways owned or to be acquired by the State of California, by the levy of a rate of taxation and creation of a fund therefor. (Substitute for Assembly Bill No. 672.)

Read second time, and ordered engrossed and to third reading.

MOTION.

Mr. Guy moved that the House do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 902.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 902 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 902—An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employés thereof, and to provide for the compensation of said officers and employés, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year—Substitute for Assembly Bill No. 673—and now report back to the House, and recommend that the same do pass.

COOMBS, Chairman.

Adopted.

Assembly Bill No. 902 ordered engrossed and to third reading.

Mr. Clarke moved that Assembly Bills Nos. 902, 903, 904, and 905 be made the special order for to-morrow.

So ordered.

LEAVE OF ABSENCE.

Messrs. Emmons and Canavan were granted leave of absence for the day.

MOTION.

Mr. North, of Alameda, moved that the rules be suspended and Senate Bill No. 140 taken up out of order and read second time.

So ordered.

Senate Bill No. 140—An Act providing for general primary elections within the State of California, and to promote the purity thereof.

Read second time.

The following amendments were recommended by Assembly Committee on Election Laws to reëngrossed printed Senate Bill No. 140:

AMENDMENT No. 1.

Amend Section 2, line 9, of reëngrossed Senate printed bill 140, by striking out after the word "pursuant" the word "to," and inserting the following words: "to the provisions of."

Adopted.

AMENDMENT No 2.

Amend Section 2, line 10, of Senate reëngrossed printed bill 140, by inserting after the word "primary" the following words: "election to be held."

Adopted.

AMENDMENT No. 3.

Amend Section 2, line 10, of Senate reengrossed printed bill 140, by striking out after the word "purpose" the words "to be held."

Adopted.

AMENDMENT No. 4.

Amend Section 2, line 21, of Senate reëngrossed printed bill 140, by striking out after the word "city" and before the word "county" the word "or," and inserting in lieu thereof the word "and."

Adopted.

AMENDMENT No. 5.

Amend Section 2, line 23, of Senate reëngrossed printed bill 140, by inserting after the word "city" the words "or other local."

Adopted.

AMENDMENT No. 6.

Amend Section 2, line 31, of Senate reëngrossed printed bill 140, by inserting after the word "by" the words "said board or fixed by."

Adopted.

AMENDMENT No. 7.

Amend Section 2, line 33, of Senate reëngrossed printed bill 140, by inserting after the word "one" the word "daily."

Adopted.

AMENDMENT No. 8.

Amend Section 4, line 5, of Senate reëngrossed printed bill 140, by inserting after the word "days" the words "prior to the time."

Adopted.

AMENDMENT No. 9.

Amend Section 10, line 15, of Senate reengrossed printed bill 140, by inserting after the word "in" the word "daily."

Adopted.

AMENDMENT No. 10.

Amend Section 10, line 16, of Senate reëngrossed printed bill 140, by striking out the word "one" and inserting the following words: "in at least one daily."

Adopted.

AMENDMENT No. 11.

Amend Section 18, line 15, of Senate reëngrossed printed bill 140, by inserting after the words "at such convention" the following: "No elector shall sign any petition for any independent candidate or candidates prior to the date set for the holding of any primary election for the election of delegates to any convention for the nomination of candidates for any office for which such petition is circulated or signed."

Adopted.

AMENDMENT No. 12.

Amend Section 18, line 18, of Senate reëngrossed printed bill 140, by inserting after the word "register," the words "or otherwise."

Adopted.

AMENDMENT No 13.

Amend Section 19, line 20, of Senate reëngrossed printed bill 140, by inserting after the word "closed" the following words: "The top or opening of each ballot-box in which ballots were deposited must be securely covered and sealed by the inspector, and the covering and seal must not be permitted to be broken until the election board is ready to open the box, to take out and count the ballots. Only one box shall be opened at a time, and after the covering and sealing of the ballot-boxes."

Adopted.

AMENDMENT No. 14.

Amend Section 23 of Senate reëngrossed printed bill 140 so as to read as follows:

SEC 23 Any person who at any primary election shall vote illegally, or attempt so to vote, shall be subject to the same punishment provided by law in case of such voting, or attempting to vote, at a general election in this State. No person shall be allowed to vote whose name does not appear upon the great or precinct register of the county, or city and county, used at the last general election held before such primary election, in the precinct in which he desires to vote, as a person entitled to vote in such precinct, or unless his name appears upon the supplements to such great or precinct registers. 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 prison not less than one nor more than five years.

Adopted.

AMENDMENT No. 15.

Amend Section 27, line 4, of Senate reëngrossed printed bill 140, by striking out after the word "State" the word "the."

Adopted.

AMENDMENT No. 16.

Amend Section 27, line 7, of Senate reengrossed printed bill 140, by striking out the word "or," after the word "organization," and inserting in lieu thereof the word "of."

Adopted.

AMENDMENT No. 17.

Amend Section 28, line 14, of Senate reengrossed printed bill 140, by striking out after the word "section" the word "twenty-three," and insert in lieu thereof the word "nineteen."

Adopted.

AMENDMENT No. 18.

Amend Section 29, line 5, of Senate reëngrossed printed bill 140, by inserting after the word "be" the words "except as herein otherwise provided."

Adopted.

AMENDMENT No. 19.

Amend Section 33 of Senate reëngrossed printed bill 140 by adding the following words at the end of the section: "Any violations of the provisions of this Act shall, except as herein otherwise provided, be a misdemeanor and punishable as such."

Adopted.

AMENDMENT No. 20.

Amend Section 37, line 6, of Senate reëngrossed printed bill 140, by striking out the words "or candidates," after the word "candidate," and insert the following words: "*and provided further*, that no more than one candidate shall be nominated by the same petition."

Adopted.

Senate Bill No. 140 ordered to printer and third reading.

Mr. North moved that Senate Bill No. 140 be made special order for Friday.

So ordered.

MOTION—THIRD READING OF BILL.

Mr. North, of Yolo, moved that the Assembly do now take up Assembly Bill No. 847.

So ordered.

Assembly Bill No. 847—An Act to provide for the transfer from Whittier State School at Whittier of the girls heretofore committed thereto under the laws of this State, and for their maintenance and care, as well as that of such other girls as shall be hereafter so committed under said law, and to establish, maintain, and locate in the County of Santa Clara, State of California, on that certain tract of land belonging to the State of California, and heretofore used by the California Home for the Care and Training of Feeble-Minded Children, in the town of Santa Clara, in said county, an institution for the discipline, education, employment, reformation, and protection of female juvenile delinquents, to be known as "The Santa Clara State School," and to make an appropriation therefor.

Read third time.

PETITIONS ADVOCATING PASSAGE OF THE BILL.

The following were presented:

In the Council Chamber of the Board of Trustees of the Town of Santa Clara. February 1, 1897.

The Board of Trustees of the Town of Santa Clara met in regular session. The roll was called, and the following Trustees answered to their names. J. B. O'Brien, John Roll, W. O. Watson, J. J. Miller, and D. O. Druffel, and were present when the following (among other) proceedings were had. Trustee John Roll offered the following resolution, and moved that the same be passed, which motion was seconded by Trustee J. J. Miller. The resolution was then read before the board and put upon its passage, and passed by the following vote: Ayes—Trustees J. B. O'Brien, John Roll, W. O. Watson, J. J. Miller, and D. O. Druffel.

WHEREAS, It is known that the State of California, by the Legislature and Governor of said State, has in contemplation the establishment of a branch training school or reformatory for erring young women and girls of said State, at some eligible site therein, and

WHEREAS, Said State is the owner of lands and structures located in the Town and County of Santa Clara, State aforesaid, in all respects adequate and adapted for the location and purposes of such institution; and

WHEREAS, The establishment thereof, upon said lands in said Town of Santa Clara, appears to the people thereof as a measure altogether wise, fitting, and proper to be taken and adopted; and this board deeming the establishment of the contemplated institution upon such lands to be to the interests of public morals and human progress, and being willing to aid in the successful equipment of said institution, if so established, as far as the municipal facilities of said town and its municipal powers will warrant, now, therefore, in consideration of the premises, and of the benefits to accrue to the general public, it is by said Board of Trustees hereby

Resolved, That immediately upon the establishment of said institution on said lands, in said town, the system of public waterworks owned by said town, the system of electric street-lighting works owned by said town, and the public sewerage system owned by said town, shall be extended in, along, and upon the public streets thereof to points in said streets adjacent to the lands on which said institution shall be established, convenient for making connection therewith by the State, and utilizing said systems for the convenience and benefit of said institution, and will maintain the same in said streets free of cost to said State of California.

And said State shall have the right to erect, maintain, and use upon its grounds connected with and lighted by said street-lighting system arc lights adequate to reasonably light the grounds around said institution, free of cost for the force used in maintaining said lights

And shall have the right to connect with said system of waterworks, and take therefrom pure and wholesome water adequate for all purposes. And, if desired by the State, of the water used, fifty gallons per capita per day for the persons connected with said institution, including the wards and persons in control, will be free of charge to the State.

Said State shall also have the right to connect the buildings and structures of said institution, by vitrified pipe, with the said sewerage system, free of cost for the use of said public sewers.

Passed this 1st day of February, 1897, by the following vote: Ayes—Trustees J. B. O'Brien, John Roll, W. O. Watson, J. J. Miller, D. O. Druffel. Noes—None. Absent—None.

O. A. R. SAUNDERS, Town Clerk.

Approved February 1, 1897.

J. B. O'BRIEN, President of the Board.

State of California, Town of Santa Clara, County of Santa Clara.

I, O. A. R. Saunders, Clerk of the Town of Santa Clara, County of Santa Clara, State of California, hereby certify the foregoing to be a full, true, and correct copy of a resolution passed by the Board of Trustees of the Town of Santa Clara, February 1, 1897.

O. A. R. SAUNDERS,

[SEAL.] Town Clerk of the Town of Santa Clara.

Mr. Wright moved that further reading of the resolution by the Board of Trustees of the Town of Santa Clara be dispensed with.

So ordered.

Mr. Arnerich presented a petition from about six hundred citizens of Santa Clara County, relative to the transfer of the girls from the Whittier School to the former Home for Feeble-Minded Children in Santa Clara County.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Bettman, Breiling, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cutter, Damon, Dennery, Dryden, Ennis, Fontana, Gately, Godfrey, Goodhue, Guy, Harris, Henry, Hill, Jones, Keegan, Kelly, Kenyon, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Melick, Moultrie, McGrath, North of Alameda, North of Yolo, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

RESOLUTION.

By Mr. Harris:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for the sum of $800 25 in favor of W. O. Banks, Sergeant-at-Arms of Assembly, from the Contingent Fund, to pay for articles as per attached bill.

State of California, to John Breuner, Dr.:

February 23—To new desks, tables, and chairs, and repairing furniture, etc., as per attached bill. $800 25

As per itemized account herewith presented:

February 19	1 chair	$4 00
	4 chairs @ $2	8 00
	Upholstering 1 chair	5 50
	6 antique desks @ $15	90 00
	1 reed rocker	7 50
	2 desks @ $25	50 00
	2 desk chairs @ $7 50	15 00
	2 desks @ $22 50	45 00
	2 office chairs @ $9	18 00
	2 desks @ $18	36 00
	1 desk	35 00
	Upholstering and repairing 4 chairs (new springs)	22 00
	12 cane-seat chairs @ $2	24 00
	2 desks @ $16 50	33 00
	1 office chair	9 00
	Repairing 5 revolving chairs	3 75
	1 desk	18 00
	1 desk	30 00
	2 desks @ $18	36 00
	1 office chair	9 00
	1 table, to order	15 00
	Refinishing and repairing furniture	9 00
	9 sets castors	4 50
	Repairing tables and chairs	7 50
	1 office chair	9 00
	1 desk	15 00
	1 desk	15 00
	1 office chair	9 00
	1 desk	13 50
	3 office chairs @ $9	27 00
	Repairing chairs and tables	5 50
	1 office chair	9 00
	Upholstering 2 chairs (new springs)	11 00
	Repairing 2 chairs	2 50
	65 yds. carpet @ $1	65 00
	Laying 65 yds. carpet @ 5c	3 25
	1 antique desk	35 00
	1 antique desk	15 00
	Repairing 4 member's chairs @ 75c	3 00
	12 cane chairs @ $2	24 00
	Repairing furniture (ladies' room)	3 75
		$800 25

Referred to Committee on Ways and Means.

LEAVE OF ABSENCE.

Mr. Dennery was granted a leave of absence for the evening.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred the following Assembly resolution by Mr. Price:

Resolved, That the Ways and Means Committee is hereby instructed to consider and report, as a part of the General Appropriation Bill, an amendment containing such amounts as may be considered best for the several Agricultural Districts.

Have had the same under consideration, and respectfully report back the following amounts, and recommend that they be added to the General Appropriation Bill, as directed by said resolution:

For aid to District Agricultural Society Number One, ——.
For aid to District Agricultural Society Number Two, five thousand dollars.
For aid to District Agricultural Society Number Three, two thousand dollars.
For aid to District Agricultural Society Number Four, five thousand dollars.
For aid to District Agricultural Society Number Five, five thousand dollars.
For aid to District Agricultural Society Number Six, five thousand dollars.
For aid to District Agricultural Society Number Seven, two thousand dollars.
For aid to District Agricultural Society Number Eight, two thousand dollars.
For aid to District Agricultural Society Number Nine, three thousand dollars.
For aid to District Agricultural Society Number Ten, one thousand five hundred dollars
For aid to District Agricultural Society Number Eleven, three thousand dollars.
For aid to District Agricultural Society Number Twelve, three thousand dollars.
For aid to District Agricultural Society Number Thirteen, three thousand dollars.
For aid to District Agricultural Society Number Fourteen, three thousand dollars.
For aid to District Agricultural Society Number Fifteen, two thousand dollars.
For aid to District Agricultural Society Number Sixteen, two thousand dollars.
For aid to District Agricultural Society Number Seventeen, one thousand five hundred dollars.
For aid to District Agricultural Society Number Eighteen, three thousand dollars.
For aid to District Agricultural Society Number Nineteen, one thousand five hundred dollars.
For aid to District Agricultural Society Number Twenty, one thousand five hundred dollars.
For aid to District Agricultural Society Number Twenty-one, four thousand dollars.
For aid to District Agricultural Society Number Twenty-two, three thousand five hundred dollars.
For aid to District Agricultural Society Number Twenty-three, three thousand dollars.
For aid to District Agricultural Society Number Twenty-four, two thousand dollars.
For aid to District Agricultural Society Number Twenty-five, four thousand dollars
For aid to District Agricultural Society Number Twenty-six, two thousand dollars.
For aid to District Agricultural Society Number Twenty-seven, three thousand dollars.
For aid to District Agricultural Society Number Twenty-eight, four thousand dollars.
For aid to District Agricultural Society Number Twenty-nine, two thousand dollars.
For aid to District Agricultural Society Number Thirty, two thousand dollars
For aid to District Agricultural Society Number Thirty-one, two thousand dollars.
For aid to District Agricultural Society Number Thirty-two, two thousand dollars.
For aid to District Agricultural Society Number Thirty-three, two thousand dollars.
For aid to District Agricultural Society Number Thirty-four, one thousand five hundred dollars.
For aid to District Agricultural Society Number Thirty-five, two thousand dollars
For aid to District Agricultural Society Number Thirty-six, three thousand dollars.
For aid to District Agricultural Society Number Thirty-seven, one thousand five hundred dollars
For aid to District Agricultural Society Number Thirty-eight, three thousand dollars.
For aid to District Agricultural Society Number Thirty-nine, two thousand dollars.
For aid to District Agricultural Society Number Forty, three thousand five hundred dollars
For aid to District Agricultural Society Number Forty-one, one thousand five hundred dollars.
For aid to District Agricultural Society Number Forty-two, two thousand dollars.
For aid to District Agricultural Society Number Forty-three, one thousand five hundred dollars.
For aid to District Agricultural Society Number Forty-four, two thousand dollars.

Respectfully submitted.

GUY, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1897

MR SPEAKER: Your Committee on Ways and Means beg leave to submit the following, for the week ending Saturday, February 20, 1897:

Bills received since last report:

February 15, Assembly Bill No. 736—Repairs and construction of buildings in Yosemite Valley	$8,000 00
February 15, Assembly Bill No. 847—Establishing Santa Clara State School	40,000 00
February 15, Assembly Bill No. 851—Furnishing a ward for Southern California State Asylum	8,000 00
February 15, Assembly Bill No. 850—To assist Evergreen Home	10,000 00
February 16, Assembly Bill No. 735—Claim of Charles Nelson	675 00
February 16, Assembly Bill No. 860—Dredging Alviso Slough	25,000 00
February 16, Assembly Bill No. 615—Claim of A J Bourne	5,000 00
February 16, Assembly Bill No 711—For relief of John Barry	185 00
February 16, Assembly Bill No 156—Claim of Ernest Weyand	41 48
February 16, Assembly Bill No. 717—Claim of George H. Tay Company	400 00
February 17, Senate Bill No 155—Establishing a commission for the promotion of uniformity of legislation	1,000 00
February 17, Assembly Bill No. 765—Claim of A. W Rapelye	300 00
February 17, Assembly Bill No. 887—For State Board of Horticulture	2,500 00
February 17, Assembly Bill No. 875—Commission for examining voting machines	1,000 00
February 19, Senate Bill No 260—For purchase of portrait of ex-Governor John McDougall	500 00
February 19, Assembly Bill No. 515—For erection of State prison, and transfer of convicts from San Quentin to Folsom	100,000 00
February 19, Assembly Bill No. 349—Construction of dam and other improvements, and purchase of land for Napa Asylum	100,000 00
February 19, Assembly Bill No. 902—Creating Department of Highways	3,000 00
February 19, Assembly Concurrent Resolution No. 7—For examining the sites for a new State prison	5,000 00
February 19, Senate Bill No 100—Prohibiting adulteration of wines	5,000 00
February 19, Assembly Bill No. 912—Claim of Southern Pacific Company	6,025 34
February 19, Assembly Bill No. 913—Claim of Tehama County	4,853 50
February 19, Assembly Bill No. 914—Claim of Napa County	8,219 90
February 19, Assembly Bill No. 906—For State highway from Coulterville to the Yosemite Valley	55,000 00
February 19, Assembly Bill No. 902—Creating a State Bureau of Highways	3,000 00
Total	$392,700 22

Bills reported back favorably:

February 16, Assembly Bill No. 5—Claim of Julius A. Hult	$5,000 00
February 16, Assembly Bill No. 318—Claim of John F. Kidder	480 00
February 16, Assembly Bill No. 319—For special counsel employed by Board of Railroad Commissioners	12,500 00
February 16, Assembly Bill No. 187—For improvements, State Normal School at Los Angeles	5,000 00
February 16, Assembly Bill No 241—Funeral of State Librarian W. D. Perkins	1,102 08
February 16, Assembly Bill No. 839—Claim of Marion Pirkey	547 00
February 16, Assembly Bill No. 232—For advertising constitutional amendments in 1894	380 00
February 16, Senate Bill No. 53—Preventing deception in the manufacture of butter and cheese	5,000 00
February 16, Assembly Bill No. 159—Claim of W. M. Sullivan	500 00
February 16, Assembly Bill No. 847—Establishing Santa Clara State School	
February 16, Assembly Bill No. 850—Assisting Evergreen Home	10,000 00
February 16, Assembly Bill No. 160—Claim of Lawrence Dunnigan	5,225 00
February 16, Assembly Bill No. 161—Claim of William H. Donnelly	5,000 00
February 16, Assembly Bill No. 118—Claim of Evening Express Company	95 88
February 16, Assembly Bill No. 437—Claim of F. M. Millikan	41 00
February 16, Assembly Bill No. 538—For Board of Harbor Commissioners for the Port of Eureka	10,000 00
February 18, Assembly Bill No. 860—For dredging Alviso Slough	25,000 00
February 18, Assembly Bill No. 608—For Trans-Mississippi Exposition	50,000 00
February 18, Assembly Bill No. 175—For improvements at Whittier State School	35,000 00
February 19, Assembly Bill No. 765—Claim of A. W Rapelye	300 00
February 19, Assembly Bill No. 379—Additional land for Preston School of Industry	5,000 00
February 19, Assembly Bill No. 402—Lake Tahoe Wagon Road Commissioner	10,000 00
February 19, Assembly Bill No. 615—Claim of A. J. Bourne	5,000 00
February 19, Senate Bill No 100—Preventing adulteration of wines	5,000 00
February 19, Assembly Bill No. 639—Substitute recommended.	
February 19, Assembly Bill No. 156—Claim of Ernest Weyand	41 48
February 19, Assembly Bill No. 887—For State Board of Horticulture	2,500 00
February 19, Assembly Bill No. 902—Creating Department of Highways	3,000 00
Total	$201,712 44

Bills reported back unfavorably:	
February 16, Assembly Bill No 339—Claim of California Demokrat	$4,750 00
February 16, Assembly Bill No. 567—Appointment of Clerk in the office of Superintendent of Public Instruction	
February 16, Assembly Bill No. 491—For Convention of County Assessors	5,000 00
Total	$9,750 00
Withdrawn by authors:	
February 15, Assembly Bill No. 494—Preventing deception in the manufacture and sale of butter and cheese	$5,000 000
February 15, Assembly Bill No. 193—Claim of Marin County	4,302 25
February 15, Assembly Bill No 110—Support of Southern California Asylum	204,400 00
February 19, Assembly Bill No. 377—Construction of reservoir, Preston School of Industry	15,000 00
Total	$228,702 25

Recapitulation.

Total appropriations referred to this committee to date	$3,544,691 14
Total appropriations reported back favorably	1,030,154 19
Total appropriations reported back unfavorably	395,830 40
Amount of bills withdrawn	720,016 97
Amount reduced by committee amendments	76,416 75
Total appropriations remaining with committee	1,322,272 83

Respectfully submitted.

GUY, Chairman.

MESSAGES FROM THE SENATE.

Mr. Dibble moved that the House do now proceed to take up Senate messages.

So ordered.

SENATE CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed the following conference committee, in relation to suspension of Joint Rule XLVIII: Senators Wolfe, Withington, and Seawell, and return herewith Senate Concurrent Resolution No. 6.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Mr. Dibble moved that the Speaker appoint a similar committee of three to meet and act with Senate committee.

So ordered.

The Speaker appointed as such committee Messrs. Dibble, Chynoweth, and Caminetti.

RECESS.

At five o'clock P. M., on motion of Mr. Dibble, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and forty minutes P. M. Speaker Coombs in the chair.

Quorum present.

SPECIAL URGENCY FILE.

Assembly Bill No. 63—An Act to amend an Act approved March 26, 1893, entitled "An Act to create and administer a public school-teachers' annuity and retirement fund in the several counties and cities and counties in 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. Aldridge, Allen, Arnerich, Austin, Belshaw, Boone, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Dibble, Dolan, Dryden, Elliott,

Emmons, Ennis, Fontana, Gately, Goodhue, Guy, Harris, Henry, Hill, Jones, Keegan, Kelly, Lacy, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McGrath, Pohlmann, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Toland, Vosburg, Waymire, Wright, and Mr Speaker—51

NOES—Messrs Damon, Foreman, Houghton, Hudson, Leavitt, Lindenberger, McClellan, North of Alameda, North of Yolo, and Strain—10.

Title read and approved.

NOTICES OF RECONSIDERATION.

Mr. Boone gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 63 was finally passed.

Mr. Toland moved that the vote whereby Senate Bill No. 104 was refused third reading be now reconsidered.

On motion of Mr. Dibble, the motion of Mr. Toland to reconsider was postponed and made special order for to-morrow, immediately preceding the consideration of Senate special file.

Mr. Toland moved to reconsider the vote whereby Senate Bill No. 106 was refused third reading.

On motion of Mr. Dibble, the motion of Mr. Toland to reconsider was postponed and made special order for to-morrow, immediately preceding the consideration of Senate special file.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 200—An Act to amend Sections 925 and 928 of the Penal Code of the State of California, and add a new section to said Code, to be known as Section 929, relating to grand juries, their 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. Aldridge, Allen, Arnerich, Bettman, Boone, Burnham, Caminetti, Cross, Cutter, Damon, Dryden, Elliott, Emmons, Ennis, Foreman, Godfrey, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Kelly, Lacy, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Soward, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—50.

NOES—Messrs. Belshaw, Bridgford, Burnett, Cartwright, Chynoweth, Dibble, and Keegan—7.

Title read and approved.

Assembly Bill No. 646—An Act making an appropriation to pay the claim of James V. Hicks, for expenses incurred in going to New York after A. L. Gibbs, a fugitive from justice.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Chynoweth, Cross, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Godfrey, Guy, Harris, Henry, Hill, Houghton, Hudson, Keegan, Kelly, Lacy, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, North of Yolo, Power of Placer, Robinson, Rubell, Ryan, Sims, Soward, Strain, Vosburg, Waymire, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Assembly Bill No. 66—An Act to enable cities incorporated and operating under a charter framed under Section 8, Article XI, of the

Constitution, to abandon and annul such charter, and organize under general 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. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Cartwright, Chynoweth, Cross, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Foreman, Godfrey, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Kelly, Lacy, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, McClellan, McGrath, North of Yolo, Power of Placer, Robinson, Rubell, Soward, Treacy, Valentine, Waymire, and Mr Speaker—47.

NOES—None.

Title read and approved.

Assembly Bill No. 783—An Act to amend Section 2737 of the Political Code, relating to bridges and highways, and the construction of bridges over ditches and across highways. (Substitute for Assembly Bill No. 196.)

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Damon, Dibble, Dryden, Fontana, Foreman, Godfrey, Goodhue, Harris, Henry, Hill, Houghton, Hudson, Keegan, Lacy, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, Power of Placer, Rubell, Ryan, Sanford, Shanahan, Strain, Valentine, Vosburg, Waymire, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Assembly Bill No. 639—An Act to provide for the care of the dependent and wayward classes.

Passed to unfinished business.

Assembly Bill No. 623—An Act to amend Sections 350, 351, and 354 of the Penal Code of the State of California, relating to the punishment of counterfeiting trademarks, and the sale of goods bearing counterfeited trademarks, and other infringement of the rights of trademarks.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Cartwright, Chynoweth, Cross, Damon, Dibble, Dolan, Elliott, Fontana, Godfrey, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Keegan, Kelly, Lacy, Lindenberger, Malcolm, Mead, Melick, Moultrie, Mulcrevy, McClellan, McGrath, North of Alameda, Pohlmann, Rubell, Sanford, Soward, Strain, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

At nine o'clock and fifteen minutes P. M., the Speaker called Mr. Anderson to the chair.

Assembly Bill No. 15—An Act to appropriate $1,535 25 to pay the claim of W. W. Foote and Garret W. McEnerney for legal services rendered and expenses incurred by them in that certain action commenced in and decided by the Supreme Court of the State of California, and which was therein entitled "The People of the State of California, on the relation of John C. Lynch, petitioners, vs. James H. Budd, respondent," and numbered S. F. No. 600.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Anderson, Arnerich, Austin, Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Cross, Cutter, Damon, Dibble, Elliott, Emmons, Ennis, Fontana, Gately, Godfrey, Guy, Harris, Henry, Kelly, Lacy, Mahoney, Mead, Moultrie, Mulcrevy, McCandlish, North of Alameda, Power of Placer, Rubell, Sanford, Sims, Soward, Strain, Treacy, Valentine, Vosburg, and Wright—41.

NOES—Messrs. Hill, Houghton, Hudson, Keegan, and Melick—5.

Title read and approved.

Assembly Bill No. 813—An Act to add a new section to the Civil Code, to be known as Section 431 thereof, relating to the form of fire insurance policies.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Burnett, Burnham, Caminetti, Cross, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Godfrey, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Kelly, Lacy, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McClellan, Pohlmann, Power of Placer, Sanford, Sims, Soward, Strain, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Assembly Bill No. 247—An Act making an appropriation to pay the claim of the Daily Report Publishing Company, for advertising the constitutional amendments.

Read second time.

Assembly Bill No. 233—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments.

Read second time.

Assembly Bill No. 860—An Act to provide for the dredging and improvement of Alviso Slough, and to appropriate money therefor.

Read second time.

Assembly Bill No. 62—An Act making an appropriation to pay the claim of Thomas Hatch.

Ordered on the file under the head of unfinished business.

Assembly Bill No. 523—An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution; to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act.

Ordered on the file under the head of unfinished business.

Assembly Bill No. 524—An Act to provide for the fencing of the farm property, the further equipment of the farm, and for the laying out and care of the grounds at the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Ordered on the file under the head of unfinished business.

Mr. Dibble moved that the House do now resolve itself into Committee of the Whole, with Mr. Anderson in the chair, for the purpose of considering Assembly Bills Nos. 247, 233, and 860.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Anderson in the chair.

Assembly Bills Nos. 247, 233, and 860 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Anderson in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 247—An Act making an appropriation to pay the claim of the Daily Report Publishing Company, for advertising the constitutional amendments

Also: Assembly Bill No 233—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments

Also: Assembly Bill No. 860—An Act to provide for the dredging and improvement of Alviso Slough, and to appropriate money therefor.

And now report the same back, and recommend that the same do pass.

ANDERSON, Chairman.

Assembly Bill No. 247—An Act making an appropriation to pay the claim of the Daily Report Publishing Company, for advertising the constitutional amendments.

Ordered engrossed and to third reading.

Assembly Bill No. 233—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments.

Ordered engrossed and to third reading.

Assembly Bill No. 860—An Act to provide for the dredging and improvement of Alviso Slough, and to appropriate money therefor.

Ordered engrossed and to third reading.

Mr. Dibble moved that Assembly Bills Nos. 247, 233, and 860 be put on the unfinished-business file.

So ordered.

At ten o'clock and five minutes P. M., Speaker Coombs resumed the chair.

Assembly Bill No. 554—An Act to prohibit the desecration of the flag of the United States, 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. Aldridge, Allen, Anderson, Arnerich, Belshaw, Boone, Bridgford, Burnett, Caminetti, Cartwright, Chynoweth, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Lacy, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, McCandlish, McClellan, North of Alameda, Pohlmann, Power of Placer, Price, Rubell, Sanford, Strain, Toland, Treacy, Valentine, Waymire, and Mr. Speaker—50.

NOES—Mr. Soward—1.

Title read and approved.

Assembly Bill No. 361—An Act entitled an Act to amend the Political Code by adding a new section requiring the State and subdivisions of the State to give preference to goods manufactured or produced in the State, when contracting for or purchasing goods or other 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. Allen, Anderson, Arnerich, Austin, Belshaw, Boone, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Clarke, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Godfrey, Goodhue, Guy, Hill, Houghton, Hudson, Jones, Keegan, Lacy, Lindenberger, Malcolm, Mead, Melick, McCandlish, Pohlmann, Power of Placer, Shanahan, Strain, Toland, Treacy, Vosburg, Waymire, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Assembly Bill No. 224—An Act making an appropriation to pay the claim of Luke Kavanagh, for reporting and transcribing testimony for the Board of Health.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Anderson, Arnerich, Austin, Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Guy, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Lacy, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McGrath, North of Alameda, Pohlmann, Power of Placer, Rubell, Shanahan, Soward, Strain, Toland, Treacy, Vosburg, Waymire, and Mr. Speaker—47.

NOES—None.

Title read and approved.

ADJOURNMENT.

At ten o'clock and twenty-five minutes P. M., on motion of Mr. Dibble, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 25, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McGrath, McLaurin, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Moultrie and Keables were granted a leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Tuesday, February 23d, was approved as corrected.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No 902—An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employés thereof, and to provide for the compensation of said officers and employés, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year (Substitute for Assembly Bill No 673.)

Assembly Bill No 903—An Act to provide for the location, construction, and maintenance of State highways in the several counties of the State, and to define the duties of certain State officers and county and district officials in connection therewith. (Substitute for Assembly Bill No. 650.)

Assembly Bill No 904—An Act to provide for the classification of the roads in the State of California. (Substitute for Assembly Bill No. 674.)

Assembly Bill No. 905—An Act to provide for the location, construction, and maintenance of highways owned or to be acquired by the State of California, by the levy of a rate of taxation, and the creation of a fund therefor. (Substitute for Assembly Bill No. 672.)

Assembly Bill No. 233—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments

Assembly Bill No. 247—An Act making an appropriation to pay the claim of the Daily Report Publishing Company, for advertising the constitutional amendments.

Assembly Bill No 860—An Act to provide for the dredging and improvement of Alviso Slough, and to appropriate money therefor.

AUSTIN, Chairman.

Assembly Bills Nos. 308, 122, 278, 85, 427, 440, 504, 310, 62, 653, 311, 297, 307, 281, 229, 312, and 17 ordered to engrossment.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

MR SPEAKER: Your Committee on Rules and Regulations hereby report the following temporary rule, under Rule LXVII of the Assembly: That Assembly Bill No 937, known as the General Appropriation Bill, be considered from three o'clock and thirty minutes P. M. to five o'clock P. M. each day until said bill be finally disposed of, said rule to commence on Thursday, February 25, 1897; that no other business be transacted pending consideration of said bill, except by unanimous consent.

CHYNOWETH, Chairman.

Adopted.

PETITIONS.

By Mr. Belshaw: Petition from nine citizens of Contra Costa County, asking for the enactment of a Sunday law.

Referred to Committee on Public Morals.

By Mr. Lindenberger: Petition from citizens of Riverside, relative to the enactment of a Sunday law.

Referred to Committee on Public Morals.

By Mr. Lindenberger: Petition from citizens of South Riverside, relative to the enactment of a Sunday law.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations hereby report the following temporary rule, under Rule LXVII of the Assembly: That the following bills be considered at a meeting of the Assembly, to be held Friday evening, February 26th, commencing at seven o'clock and thirty minutes; that all of said bills not now on the third-reading file be considered under the urgency clause of the Constitution, and be read second and third times, and placed on final passage; that no other business be transacted pending consideration of said measures, except by unanimous consent:

Assembly Bill No. 376—An Act to appropriate money for the erection of additional buildings at the Preston School of Industry at Ione, and for furnishing and equipping the same.

Assembly Bill No. 378—An Act to provide for certain improvements at the Preston School of Industry, and making an appropriation therefor.

Assembly Bill No 402—An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act.

Assembly Bill No. 867—An Act to amend Section 647 of the Penal Code of California. (Substitute for Assembly Bill No 576.)

Assembly Bill No. 437—An Act making an appropriation to pay the claim of F. M. Millikan, for publishing delinquent purchasers of State school lands.

Assembly Bill No. 657—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.

Assembly Bill No. 862—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the powers of the Boards of Trustees of certain cities.

Assembly Bill No 187—An Act appropriating the sum of $5,000 for repairs and improvements in the State Normal School at Los Angeles, California.

Assembly Bill No. 160—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

Assembly Bill No. 859—An Act to amend an Act entitled "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 and watercourses, 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," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Assembly Bill No. 438—An Act to prevent the granting of franchises or privileges for the construction, extension, or operation of railroads over or upon county roads or highways by Boards of Supervisors of the several counties of the State of California.

Assembly Bill No 364—An Act for the relief of district agricultural associations.

Senate Bill No. 539—An Act relinquishing to the United States of America the title of this State to certain lands.

Assembly Bill No. 395—An Act to amend an Act entitled "An Act to establish a tax on collateral inheritance bequests and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893.

Assembly Bill No. 431—An Act to amend Section 3641 of the Political Code, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue

Assembly Bill No 432—An Act to add a new section to the Political Code, to be known as Section 3609 thereof, relating to the general revenue of this State, and to property liable to taxation for the purpose of revenue.

Assembly Bill No 433—An Act to amend Section 3608 of the Political Code of California, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue.

Assembly Bill No. 785—An Act to amend Section 602 of the Civil Code, relating to corporations sole.

Assembly Bill No. 713—An Act making an appropriation for the erection of a ward building for the Southern California State Asylum for the Insane and Inebriates.

Assembly Bill No. 694—An Act authorizing municipal corporations to lease, purchase, own, and operate gravel-beds and quarries, and to transport gravel and rock therefrom to such municipal corporations, for the purpose of making, improving, and repairing roads.

Assembly Bill No 876—An Act to regulate the business of commission merchants, agents, factors, or brokers dealing in farm produce, grain, fruit, seeds, honey, or dairy produce.

And your Committee on Rules and Regulations further report that on Monday evening, March 1st, at a meeting of the Assembly, commencing at seven o'clock and thirty minutes, the following bills be considered. That all of said bills not now on the third-reading file be considered under the urgency clause of the Constitution, and be read second and third times, and placed on final passage; that no other business, except by unanimous consent, be transacted pending consideration of said measures:

Assembly Bill No. 765—An Act making an appropriation to pay the claim of A. W. Rapelye against the State of California.

Assembly Bill No. 842—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

Assembly Bill No 584—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, amended March 14, 1889, also March 17, 1891, also March 31, 1891, also March 9, 1893, and also March 11, 1893

Assembly Bill No. 787—An Act to amend Section 412 of the Penal Code, relating to boxing or sparring matches, and prize or ring fights.

Assembly Bill No 156—An Act making an appropriation to pay the claim of Ernest Weyand, District Attorney of Colusa County, for moneys expended in behalf of the State of California, for foreclosing State school lands in Colusa County, State of California.

Assembly Bill No. 839—An Act making an appropriation to pay the claim of Marion Pirkey, for moneys advanced to the National Guard of California.

Assembly Bill No. 498—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children and to prevent and punish wrongs to children," approved March 29, 1878.

Assembly Bill No. 745—An Act authorizing 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, to issue bonds therefor, and to provide for the payment of the same.

Assembly Bill No 121—An Act to create and regulate, in any city or city and county in this State, public warehouses other than warehouses for the storage of grain or wool, and to enforce warehouse liens.

Assembly Bill No. 790—An Act to amend Section 1576 of the Code of Civil Procedure, relating to the purchase of property of deceased persons by the administrator or executor.

Assembly Bill No. 52—An Act to appropriate $20,000 to furnish an additional water supply to the Mendocino Asylum, to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to construct a building for said electric plant; to construct a dam; to purchase an ice plant and cold-storage system for said asylum; to appropriate money therefor, and provide for the expenditure of the same.

Assembly Bill No. 756—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 218 thereof, relating to train-wrecking and the punishment thereof.

Assembly Bill No 97—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to mortgages.

Assembly Bill No. 204—An Act relating to the compensation of County Recorders in counties where their compensation is fees instead of salary.

Assembly Bill No 656—An Act providing for the furnishing to Sheriffs and Chiefs of Police of certain information, descriptions, and photographs of convicts about to be discharged by the Wardens of State prisons.

Assembly Bill No 824—An Act to empower the Common Council, Board of Trustees, Board of Supervisors, or other legislative or governing body of cities, or cities and counties, having a population of over one hundred thousand, to pension the widows of firemen.

Assembly Bill No. 911—An Act to amend Section 385 of the Political Code, relating to the salary of Private Secretary of the Governor.

Assembly Bill No. 700—An Act to amend Section 53 of the Code of Civil Procedure of the State of California.

Assembly Bill No. 739—An Act to amend Section 199 of the Code of Civil Procedure, relative to the disqualification of jurors.

Assembly Bill No. 325—An Act to provide for the completion and equipment of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California, and to make an appropriation therefor.

Assembly Bill No 632—An Act to provide for the organization and management of county fire insurance companies. (Substitute for Assembly Bill No. 142.)

Assembly Bill No 144—An Act to secure the payment of the claims of material men, mechanics, or laborers, employed by contractors upon State, municipal, or other public work.

Assembly Bill No 175—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, and State of California, and to make an appropriation therefor.

CHYNOWETH, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 849—An Act to authorize the Superintendent of Streets of municipalities in this State to enter into contracts for work upon public streets in said municipalities, and to provide a lien for the expense thereof, and for suits to foreclose said liens—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No 825—An Act to provide that the public may have access to the James Lick baths, free of charge—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 693—An Act to amend 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—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

Also: Senate Bill No. 65—An Act to regulate the erection of buildings and structures by the authorities of cities, counties, or cities and counties, and to regulate contracts relating thereto—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VALENTINE, Chairman.

Assembly Bills Nos. 825 and 849 and Senate Bill No. 65 placed on file for second reading.

Assembly Bill No. 693 withdrawn by author.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1867.

MR SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 775—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 disorganization of irrigation districts, the discharge of their indebtedness, and the distribution of their property in accordance with agreements between the creditors of the districts and property owners therein—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 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 bonds—have had the same under consideration, and respectfully report the same back, and recommend that the author thereof have leave to withdraw the same, the subject-matter thereof being covered by another bill.

LINDENBERGER, Chairman.

Assembly Bill No. 775 placed on file for second reading.

Assembly Bill No. 439 withdrawn by author.

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1897.

MR. SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred Assembly Bill No 834—An Act to prohibit the creation of debts against the State in excess of appropriations made by law, except in cases of actual necessity and on consent of the Board of Examiners, 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. 907—An Act to amend Section 2552 of the Political Code, relating to the salaries of the officers of the Board of State Harbor Commissioners, at San Francisco.

Also: Assembly Bill No. 908—An Act to amend Sections 12 and 14 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 as amended by an Act approved March 26, 1895

Also: Assembly Bill No 909—An Act to amend Section 2 of an Act entitled "An Act to organize and define the powers of the Board of Railroad Commissioners," approved April 15, 1880.

Also: Assembly Bill No. 910—An Act to amend Section 1 of 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.

Also: Assembly Bill No 911—An Act to amend Section 385 of the Political Code, relating to the salary of the Private Secretary of the Governor.

Have had the same under consideration, and respectfully report the same back without recommendation.

MELICK, Chairman.

Assembly Bills Nos. 834, 907, 908, 909, 910, and 911 placed on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1897.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 932—An Act making an appropriation to pay the claim of Charles W. Metcalf against the State of California—have had the same under consideration, and respectfully report

the same back, and recommend that it do pass as amended, and be referred to Committee on Ways and Means

Also: Assembly Bill No. 942—An Act to provide for the auditing and examination of the claims against the State of soldiers who served in the Indian wars in California during the years from 1847 to 1857, to authorize the Adjutant-General to appoint a clerk for that purpose, and making an appropriation for his salary—have had the same under consideration, and respectfully report the same back without recommendation, and that it be referred to Committee on Ways and Means.

BELSHAW, Chairman.

Assembly Bills Nos. 932 and 942 referred to Committee on Ways and Means.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 277—An Act to amend Section 3706 of the Political Code of the State of California, relating to the publication of the delinquent tax list.

Also: Assembly Bill No. 610—An Act to amend Section 1618 of the Code of Civil Procedure of California, relating to the salaries of Public Administrators.

Have had the same under consideration, and respectfully report the same back without recommendation.

WAYMIRE, Chairman.

Assembly Bill No. 610—An Act to amend Section 1618 of the Code of Civil Procedure of California, relating to the salaries of Public Administrators.

Read first time, and placed on file for second reading.

Assembly Bill No. 277 placed on file for third reading.

Also:

SENATE CHAMBER, SACRAMENTO, February 25, 1897.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 309—An Act to amend Section 1216 of the Penal Code, relating to duty of Sheriff on receiving copy of judgment of imprisonment.

Also: Assembly Bill No. 805—An Act exempting honorably discharged soldiers, sailors, and marines of the United States, who are disabled, from payment of license taxes for hawking, peddling, and vending, and providing for the issuance to them of certificates declaring such discharge and such disability in the several counties of this State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also: Assembly Bill No 771—An Act to authorize municipalities to accept donations of and to set apart portions of public streets or parks for statues, monuments, and fountains—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WAYMIRE, Chairman.

Assembly Bill No. 309—An Act to amend Section 1216 of the Penal Code, relating to the duty of Sheriff on receiving a copy of judgment of imprisonment.

Read first time, and placed on file for second reading.

Assembly Bills Nos. 805 and 771 placed on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1897.

MR SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Joint Resolution No. 29—Relative to the manufacture and sale of glucose—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Federal Relations.

Also: To whom was referred Committee Substitute for Senate Bill No 133—An Act to amend Section 2 of an Act entitled "An Act to protect and promote the horticultural interests of the State," approved March 14, 1881—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 489—An Act to amend Section 3051 of the Civil Code, relative to the sale of stock left in pasture or stables—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 899—An Act requiring owners, lessees, and possessors of land to destroy squirrels thereon, and provide for the expense thereof in case of

neglect—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Judiciary.

PRICE, Chairman.

Assembly Bill No. 899 and Senate Bill No. 489 placed on file for second reading.

Assembly Joint Resolution No. 29 referred to Committee on Federal Relations.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 24, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 519—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 853 thereof, relating to absence of certain officers from the State.

Also: Senate Bill No. 362—An Act authorizing the Secretary of State to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as Janitor's Clerk, who shall keep the accounts of the supply department, and making an appropriation for the payment of his salary for the remainder of the forty-eighth fiscal year.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Senate Bill No. 519—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 853 thereof, relating to absence of certain officers from the State.

Read first time, and placed on Senate special file for second reading.

Senate Bill No. 362—An Act authorizing the Secretary of State to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as Janitor's Clerk, who shall keep the accounts of the supply department, and making an appropriation for the payment of his salary for the remainder of the forty-eighth fiscal year.

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

Also:

SENATE CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the conference committee on Assembly Concurrent Resolution No. 6, relative to appointing a joint committee to examine and report upon charges made by the Governor against the State Printer.

F. J BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Mr. Dibble moved that the Committee on Ways and Means be requested to report back Senate Concurrent Resolution No. 6.

So ordered.

Mr Dibble moved that Senate Concurrent Resolution No. 6 be returned to the Senate.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: I am directed to ask your honorable body to return, without delay, Senate Concurrent Resolution No. 3, relative to adjourning *sine die*

Also: I am directed to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bill No. 7 and Senate Bill No. 44.

Also: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 172—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Also: Amended, and passed as amended, Assembly Bill No. 273—An Act to amend Section 170 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualification of Judges, as amended by an Act approved March 23, 1893.

Also: Refused passage to Assembly Bill No. 264—An Act to amend Section 172 of the Civil Code, relative to the management and control of community property.

Also: On this day passed Senate Bill No 11—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: Senate Bill No 424—An Act to amend Section 437 of an Act entitled "An Act to establish a Code of Civil Procedure," relative to the answer of defendants in civil actions.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Senate Bill No. 11—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, and referred to Committee on Corporations.

Senate Bill No. 424—An Act to amend Section 437 of an Act entitled "An Act to establish a Code of Civil Procedure," relative to the answer of defendants in civil actions.

Read first time, and referred to Committee on Judiciary.

Assembly Bill No. 273—An Act to amend Section 170 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualification of Judges, as amended by an Act approved March 23, 1893.

The following Senate amendment was submitted:

Amend the title so as to read "An Act to amend Section 170 of the Code of Civil Procedure."

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. Aldridge, Allen, Bridgford, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Dibble, Dryden, Elliott, Emmons, Ennis, Foreman, Goff, Goodhue, Henry, Hill, Hudson, Keegan, Kelly, Kenyon, Lacy, Landsborough, Lindenberger, Melick, Mulcrevy, McCandlish, McClellan, Pohlmann, Power of Placer, Price, Rubell, Ryan, Sims, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Vosburg, and Mr. Speaker—46.

NOES—None.

Assembly Bill No. 273 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 23, 1897.

MR SPEAKER: I am directed to request your honorable body to return to the Senate Assembly Bill No. 452 for further consideration.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Mr. Anderson moved that Assembly Bill No. 452 be recalled from enrollment.

So ordered.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1897.

MR. SPEAKER: Your Committee on Enrollment herewith return Assembly Bill No. 452, as per instructions.

FONTANA, Chairman.

MOTIONS.

Mr. Anderson moved that Assembly Bill No. 452 be returned to the Senate, as per request of the Senate.

So ordered.

Mr. Sims moved that Assembly Bill No. 880 be re-referred to Committee on Ways and Means.

So ordered.

RESOLUTION.

By Mr. Sims:

Resolved. That the sum of $31 be and is hereby appropriated out of the Contingent Fund of the Assembly, in favor of Frank H. Wing, for rubber stamps furnished and in use at the desk, and the Controller is hereby directed to draw his warrant for the same.

The Assembly to Frank H. Wing, Dr.:

January 6—One fac-simile "Adopted," improved self-inking band dater	$7 50
Six large self-inking pads, at 75 cents each	4 50
Eight stamps, at 75 cents each, $6; four stamps, at $1 50 each, $6	12 00
One consecutive band "Improved" dater	3 50
One autograph stamp	3 50
Total	$31 00

Resolution adopted.

MOTION.

Mr. Bridgford moved that the House do now reconsider the vote by which the report of the Committee on Contested Elections and the accompanying resolution were adopted, notice of reconsideration having been given yesterday.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Cutter, Price, and Dennery.

The question being, "Shall the main question be now put?"

So ordered.

Mr. Caminetti rose to a question of personal privilege.

The Speaker ruled him out of order.

Mr. Caminetti appealed from the decision of the Chair, in refusing to permit him to discuss the main question under a question of personal privilege, and after the previous question had been ordered.

The question now being, "Shall the decision of the Speaker stand as the decision of the House?"

The ayes and noes were demanded by Messrs. Caminetti, Toland, and Houghton.

The roll was called, and the decision of the Speaker sustained by the following vote:

AYES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, and Wright—44.

NOES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, McCandlish, McClellan, McGrath, Rubell, Sanford, Shanahan, Toland, and Treacy—27.

The question being on Mr. Bridgford's motion to reconsider.

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

AYES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Hill, Houghton, Keegan, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McGrath, Rubell, Sanford, Shanahan, Toland, and Treacy—28.

NOES—Messrs Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hudson, Jones, Kelly, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—45.

Mr. Kelsey presented himself and was duly qualified by taking the following oath of office, administered by the Chief Clerk of the Assembly:

State of California, County of Sacramento, ss.

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

J. D. KELSEY,
Fifty-fifth Assembly District.

Immediately thereafter Mr. Gately arose and remarked: "I consider that a genuine steal."

Mr. Leavitt asked that the words uttered by Mr. Gately be taken down.

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 727—An Act entitled an Act to form agricultural districts, to provide for formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal all Acts and parts of Acts in conflict with this Act.

Passed on file.

COMMUNICATION.

The Speaker announced the receipt of the following communication, which was read and ordered printed in the Journal:

OFFICE OF STATE BOARD OF EXAMINERS, February 25, 1897.

To the Honorable FRANK L. COOMBS, *Speaker of the Assembly, State of California*:

DEAR SIR: I have the honor to inform you that the State Board of Examiners, on February 24, 1897, passed the following resolution:

WHEREAS, The Superintendent of State Printing did, on the 19th day of February, 1897, file his petition asking to be allowed to incur a deficiency; and

WHEREAS, The Legislature is now in session, and it is necessary, under the Constitution, that a large amount of printing be done for that body; therefore, be it

Resolved, That pending the hearing of the petition of the Superintendent of State Printing, and to the end that persons who have furnished materials and who have performed services and labor for the execution of such legislative printing may receive full and prompt payment therefor, that we recommend that the Legislature make a present appropriation of $40,000 for legislative printing.

Yours respectfully,

JOHN MARKLEY,
Secretary of the State Board of Examiners.

Referred to Committee on Judiciary, with instructions to report back by four o'clock P. M. to-day.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 902—An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employés thereof, and to provide for the compensation of said officers and employés, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the fiscal year. (Substitute for Assembly Bill No. 673.)

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Goff, Goodhue, Harris, Hill, Houghton, Hudson, Jones, Keegan, Kelsey, Kenyon, Lacy, Leavitt, Mahoney, Malcolm,

Melick, McCandlish, McClellan, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Sanford, Sims, Shanahan, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, Wright, and Mr. Speaker—58.
NOES—None.

Title read and approved.

Assembly Bill No. 903—An Act to provide for the location, construction, and maintenance of State highways in the several counties of the State, and to define the duties of certain State officers and county and district officials in connection therewith. (Substitute for Assembly Bill No. 650.)

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Bridgford, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Elliott, Emmons, Ennis, Fontana, Gately, Goodhue, Harris, Hill, Hudson, Jones, Keegan, Kelly, Kelsey, Lacy, Leavitt, Lindenberger, Malcolm, Mead, Melick, McCandlish, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Sanford, Sims, Shanahan, Strain, Treacy, Vosburg, and Wright—50.
NOES—Messrs. Burnett, Houghton, and Mr. Speaker—3.

Title read and approved.

Assembly Bill No. 904—An Act to provide for the classification of the roads in the State of California. (Substitute for Assembly Bill No. 674.)

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Boone, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Clarke, Cutter, Damon, Dolan, Dryden, Emmons, Ennis, Fontana, Goff, Goodhue, Harris, Hill, Hudson, Jones, Keegan, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Mead, Melick, McCandlish, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Sims, Strain, Toland, Treacy, Vosburg, Wright, and Mr. Speaker—49.
NOES—None.

Title read and approved.

Assembly Bill No. 905—An Act to provide for the location, construction, and maintenance of highways owned or to be acquired by the State of California, by the levy of a rate of taxation, and the creation of a fund 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. Aldridge, Allen, Arnerich, Belshaw, Boone, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dolan, Elliott, Ennis, Goff, Goodhue, Harris, Hill, Hudson, Jones, Keegan, Kelly, Kenyon, Lacy, Landsborough, Lindenberger, Mahoney, Mead, Melick, McCandlish, McClellan, McGrath, North of Yolo, Pohlmann, Price, Robinson, Rubell, Sanford, Sims, Shanahan, Strain, Toland, Treacy, Vosburg, Wright, and Mr. Speaker—50.
NOES—None.

Title read and approved.

MOTION.

Mr. Caminetti moved that Assembly Constitutional Amendment No. 38 be referred to Committee on Constitutional Amendments, and retain its place on file.

So ordered.

REPORT OF SPECIAL COMMITTEE—(OUT OF ORDER).

SAN LUIS OBISPO VISITING COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: Your sub-committee appointed to visit San Luis Obispo and report upon the feasibility of locating a polytechnic school at that place; also, the site for the proposed Reform School for Girls at Santa Clara, the State Normal School at San José, and the State Asylum for the Insane at Agnews, beg leave to report as follows:

The citizens of San Luis Obispo are fully awake to the necessity of such a school as is sought to be established by the bill now pending. They are unanimous in their desire for it, and are liberal in their offers of assistance in the founding of the school. Several sites of from five to ten acres each are offered without expense to the State, and the beautiful Hotel Ramona can, your committee is assured, be secured at a very reasonable figure. From the facts presented to and the observations made by your committee, it is of the opinion that the location is in every way desirable, and they recommend that the bill do pass.

In regard to the property of the State at Santa Clara, to which it is proposed to transfer the girls from the Whittier Reform School, your committee is of the opinion that the property is not desirable for the purpose. The buildings now on the property are in a very bad condition, and could not be made habitable without the expenditure of a very large amount of money, and they would even then be merely a makeshift. There is also more land than can be utilized by the Reform School. We advise the sale of the property and that the proceeds be applied toward the construction of a suitable building for the Reform School at some proper place in the State.

The State Asylum for the Insane at Agnews was found to be in good condition. Many improvements have been made about the property in which the labor of the patients has been employed to advantage. The male wards are very much overcrowded. An appropriation of $22,000 is asked for the construction of two cottages, to accommodate fifty-five convalescent patients in each cottage. The Trustees agree that if the appropriation for construction is granted they will furnish the buildings from their contingent fund. It is proposed to erect these cottages at some distance from the main buildings in order that convalescent patients may be removed as far as possible from the sights and sounds which have a tendency to retard their recovery. An appropriation is also asked for sinking a gas well to furnish fuel for the institution. This would be largely a matter of experiment, although some indication of gas has been found here. We believe the management of the institution to be all that could be desired, and that its business affairs are conducted in a careful and economical manner.

Also: Your special sub-committee which was appointed to visit San Luis Obispo and report upon the feasibility of locating a State school at that place; also, the site for the proposed Whittier Reform School for Girls at Santa Clara, the State Normal School at San José, and the Insane Asylum at Agnews, beg leave to report that they have performed their duty, and that the expenses incurred for railroad tickets, hotel bills, etc., were as follows:

J. O. Vosburg	$45 00
E. D. Damon	45 00
S. M. Bettman	45 00
L. Harris	45 00
E. F. Lacy	45 00
Total	$225 00

Resolved, That the Controller be and hereby is directed to draw his warrant in favor of each of the above-named members of the committee for the amounts due them as per statement, said warrant to be drawn upon the fund for contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

LACY, Chairman Sub-Committee.

Adopted.

Mr. Bridgford moved that the hour for recess be extended ten minutes.

Lost.

RECESS.

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

REASSEMBLED.

The Assembly reassembled at two o'clock and ten minutes P. M.

Speaker Coombs in the chair.

Quorum present.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 327—An Act adding a new section to the Civil Code, relating to the location of and to compel the construction of depots, stations, sidetracks, switches, turnouts, and spurs, by transportation companies in the State of California, and fixing a penalty for failure to comply thereto.

Read second time.

The following amendments were submitted:

COMMITTEE AMENDMENT No. 1

Amend line 5, printed bill, of the Act, by changing "thereto" to the word "therewith."

By Mr. Shanahan:

Amend Committee Amendment No 1 by striking out of the amendment the word "act" and inserting the following. "title."

So ordered.

Committee Amendment No. 1, as amended, adopted.

COMMITTEE AMENDMENT No. 2.

Amend Section 1, line 1, of printed bill, by changing the words "to be" to "is hereby," after the word section.

Adopted.

COMMITTEE AMENDMENT No. 3.

Amend Section 480½, line 8, by changing the word "and" to "or."

Adopted.

COMMITTEE AMENDMENT No. 4.

Amend Section 480½, line 14, of printed bill, by changing the word "and" to "or."

Also: Amend Section 480½, line 15, of printed bill, by changing the word "and" to "or."

Adopted.

COMMITTEE AMENDMENT No. 5.

Amend Section 480½, line 36. of printed bill, by adding after the word "desirable" the words "nothing in this section shall apply to any street car or electric line, or portion of such line, operated within the corporate limits of any city or town."

By Mr. Belshaw:

Amend Committee Amendment No. 5 by striking out the word "thirty-six" and inserting the following: "thirty-five."

So ordered.

The question being on the adoption of Committee Amendment No. 5, as amended by Mr. Belshaw.

The ayes and noes were demanded by Messrs. Toland, Shanahan, and Houghton.

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

AYES—Messrs. Arnerich, Austin, Belshaw, Bettman, Burnham, Cross, Cutter, Damon, Dennery, Dibble, Emmons, Ennis, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Kelsey, Kenyon, Malcolm, Pohlmann, Robinson, Sims, Soward, Stansell, Valentine, Vosburg, Waymire, and Mr. Speaker—32

NOES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Canavan, Cartwright, Clarke, Dolan, Dryden, Elliott, Foreman, Gately, Houghton, Keegan, Landsborough, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McGrath, Power of Placer, Price, Rubell, Ryan, Sanford, Shanahan, Toland, Treacy, and Wright—33.

By Mr. Toland:

Amend by striking out of Section 1 all of line 26 after the word "order," all of lines 27, 28, and 29, and the words "hundred and eighty of this Code," in line 30.

Adopted.

Assembly Bill No. 327 ordered to printer, engrossment, and third reading.

Mr. Shanahan moved that Assembly Bill No. 327 be made special order for to-morrow morning at eleven o'clock.

The question being, "Shall Assembly Bill No. 327 be made special order at eleven o'clock A. M. to-morrow?"

The ayes and noes were demanded by Messrs. Cutter, Cross, and Shanahan.

The roll was called, and the motion of Mr. Shanahan adopted by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Boone, Bridgford, Burnett, Caminetti, Cartwright, Clarke, Dolan, Dryden, Emmons, Foreman, Gately, Guy, Houghton, Hudson, Keegan, Landsborough, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McGrath, Power of Placer, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Strain, Toland, Treacy, Waymire, and Wright—38.

NOES—Messrs. Arnerich, Belshaw, Bettman, Burnham, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble, Ennis, Fontana, Goff, Goodhue, Harris, Henry, Hill, Jones, Kelsey, Leavitt, Robinson, Sims, Soward, Stansell, Valentine, Vosburg, and Mr. Speaker—27.

At three o'clock P. M., the Speaker called Mr. Caminetti to the chair.

RESOLUTION.

By Mr. Coombs:

WHEREAS, Hon. Joseph McKenna, a former member of this House, will, on Friday evening, February 26, 1897, pass through the capital city of his State, on his way to Washington, D. C., to assume his duties in the high station to which he has been called by the President-elect of the United States; and

WHEREAS, On that occasion he will be received by the citizens of Sacramento, and conducted to the State Capitol; now, therefore, in view of the honor conferred on this State by his selection as an adviser of the President-elect, and on account of his former distinguished services to this State, be it

Resolved, That this House extend to the Hon. Joseph McKenna a reception at the hour of eight o'clock and forty-five minutes on said evening, in this chamber; be it further

Resolved, That the Governor, Lieutenant-Governor, Senate, and State officers be invited to join the Assembly in said reception.

Mr. Coombs moved that the resolution be adopted, and that the Chief Clerk be instructed to forthwith transmit a copy to the Senate and the State officers.

So ordered.

MOTIONS TO RECONSIDER.

Mr. Dibble moved that the House do now reconsider the vote by which the House refused to pass Senate Bill No. 32.

So ordered.

The same was ordered to take its place on the Senate special file.

Mr. Toland moved that the House do now reconsider the vote by which Senate Bill No. 106 was refused third reading.

The question being, "Shall the Assembly reconsider the vote by which Senate Bill No. 106 was refused third reading?"

The ayes and noes were demanded by Messrs. Toland, Shanahan, and Houghton.

The roll was called, and the motion of Mr. Toland lost by the following vote:

AYES—Messrs. Aldridge, Boone, Burnett, Caminetti, Cartwright, Clarke, Dryden, Elliott, Emmons, Goodhue, Houghton, Hudson, Keegan, Kenyon, Landsborough, Lindenberger, Mead, Melick, McCandlish, Rubell, Sanford, Shanahan, Toland, and Treacy—24.

NOES—Messrs. Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Burnham, Canavan, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Ennis, Fontana, Gately, Goff, Guy, Henry, Jones, Kelly, Kelsey, Leavitt, Mahoney, Mulcrevy, McGrath, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Robinson, Ryan, Soward, Stansell, Strain, Valentine, Waymire, and Mr. Speaker—40.

Mr. Toland moved that the House do now reconsider the vote by which Senate Bill No. 104 was refused third reading.

Lost.

At three o'clock and thirty-five minutes P. M., Speaker Coombs resumed the chair.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California for the forty-ninth and fiftieth fiscal years.

Read second time.

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. 937.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 937 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California for the forty-ninth and fiftieth fiscal years—and now report progress, and recommend that they be allowed to sit again.

COOMBS, Chairman.

Report adopted.

RECESS.

At five o'clock P. M., on motion of Mr. Clarke, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and forty minutes P. M.

Speaker Coombs in the chair.

Quorum present.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 281—An Act to add a new section to the Penal Code, to be known as Section 367 thereof, relating to dealing in convict-made goods.

Assembly Bill No 366—An Act to add a new section to the Political Code of the State of California, and to be numbered 3477½, relating to the transfer of moneys to Swamp Land Fund.

Assembly Bill No. 307—An Act to amend Section 1313 of the Civil Code, relating to restriction on the power of devise to charitable uses.

Assembly Bill No. 229—An Act making an appropriation to pay the claim of Sarah H. Wing, for the killing of her husband, O. H. Wing.

Assembly Bill No. 312—An Act to provide for the relief of Charles F. Wells, and to appropriate money therefor

Assembly Bill No 174—An Act entitled an Act to amend an Act entitled 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, by amending the title to said Act and by amending Sections 1, 4, 7, 8, 9, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 26, 27, 28, 29, and 30 thereof, and by adding three new sections thereto, to be numbered, respectively, Sections 16a, 16b, and 16c, relating to a change in the name of the institution and the powers and duties of the public officers thereof, and the manner and conditions under which commitments may be made thereto, and of the rights and obligations of persons committed thereto, and of the powers and duties of certain public officers in connection therewith, and generally relating to the State school located and established under the aforesaid Act, and now maintained by the State of California at Whittier, in the County of Los Angeles, therein, approved March 23, 1893, by amending Sections 4, 6, 9, and 11.

Assembly Constitutional Amendment No 19—To amend Section 12 of Article XIII, by providing that persons voting at a general election shall be exempt from the payment of poll tax

Assembly Bill No. 308—An Act to establish as public schools technical schools endowed by private gifts coming within certain requirements, and to encourage such endowments.

Assembly Bill No. 122—An Act to amend Section 427 of the Civil Code, in relation to insurance.

Assembly Bill No. 278—An Act to amend Section 1239 of the Penal Code, relative to the time for appeal from judgment.

Assembly Bill No 85—An Act to amend Section 832 of the Code of Civil Procedure, relating to place of trial of actions in Justices' Courts

Assembly Bill No 427—An Act relating to hospitals for dipsomaniacs and morphine, opium, and alcohol inebriates in municipalities of the first class

Assembly Bill No. 440—An Act for the protection of the Antwerp messenger, or homing pigeon

Assembly Bill No. 504—An Act entitled an Act to amend Section 487 of the Penal Code of the State of California, making chicken-stealing grand larceny

Assembly Bill No 310—An Act to amend Section 1255 of the Code of Civil Procedure, relating to costs in condemnation suits.

Assembly Bill No. 438—An Act to prevent the granting of franchises or privileges for the construction, extension, or operation of railroads over or upon county roads or highways, by Boards of Supervisors of the several counties of the State of California.

Assembly Bill No. 352—An Act authorizing the Secretary of State to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as Janitor's Clerk, who shall keep the accounts of the supply department, and making an appropriation for the payment of his salary for the remainder of the forty-eighth fiscal year.

Assembly Bill No. 62—An Act making an appropriation to pay the claim of Thomas Hatch.

Assembly Bill No. 653—An Act to reduce the expenses of the government of the State.

Assembly Bill No. 311—An Act to regulate the liability of railroad corporations with respect to damages sustained by any person, including employés of such corporations, in consequence of the negligence or willful wrongs of agents, engineers, or other employés

Assembly Bill No. 297—An Act to amend Section 3009 of the Political Code, relating to the appointment of officers and employés of the San Francisco Board of Health.

AUSTIN, Chairman.

SPECIAL URGENCY FILE.

Assembly Bill No. 445—An Act relating to the authorization and employment of a draftsman by Recorders in counties and cities and counties of the first 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. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Boone, Burnett, Burnham, Caminetti, Canavan, Cartwright, Clarke, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Goodhue, Henry, Hudson,

Keegan, Kelly, Kelsey, Lindenberger, Mead, Melick, McCandlish, McGrath, North of Alameda, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Stansell, Strain, Toland, Treacy, Valentine, Waymire, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Assembly Bill No. 180—An Act to amend Sections 338, 339, 341 of the Penal Code, and to add two new sections thereto, to be known and designated as Sections 344 and 345, relating to pawnbrokers.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 510—An Act to improve Salt River, Humboldt County, from the junction thereof with Eel River to Port Kenyon, by removing therefrom bars and other obstructions to navigation, and to appropriate the sum of $10,000 for that purpose.

Read second time.

Assembly Bill No. 229—An Act making an appropriation to pay the claim of Sarah H. Wing, for the killing of her husband, O. H. Wing.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Burnett, Caminetti, Canavan, Clarke, Damon, Dennery, Dibble, Dolan, Elliott, Ennis, Foreman, Gately, Goodhue, Henry, Hudson, Kelly, Kelsey, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, and Wright—45.

NOES—Mr Belshaw and Mr Speaker—2.

Title read and approved.

Assembly Bill No. 132—An Act to authorize the erection of a sewage-pumping plant 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. Aldridge, Anderson, Arnerich, Belshaw, Bridgford, Burnett, Caminetti, Canavan, Clarke, Damon, Dennery, Dibble, Elliott, Ennis, Foreman, Gately, Goodhue, Guy, Henry, Keegan, Kelly, Kelsey, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, Pohlmann, Price, Robinson, Rubell, Ryan, Sanford, Sims, Stansell, Strain, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—45.

NOES—Mr. Power of San Francisco—1.

Title read and approved.

Assembly Bill No. 382—An Act to repeal Sections 628*a*, 630, 632*b*, and 633, and to amend Sections 628, 635, and 636 of the Penal Code of the State of California, relating to fish.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Canavan, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Ennis, Foreman, Gately, Goodhue, Guy, Henry, Hill, Hudson, Keegan, Kelly, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McClellan, North of Alameda, North of Yolo, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Sims, Stansell, Strain, Treacy, Valentine, Vosburg, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Mr. Hill moved that the House do now take up Assembly Bill No. 538, in the place of Senate Bill No. 538.

So ordered.

Assembly Bill No. 538—An Act to amend Sections 2569, 2570, 2571, and 2572 of the Political Code of the State of California, and to add six new sections thereto, to be numbered 2573, 2574, 2574*a*, 2574*b*, 2574*c*, and 2774*d*, relating to the Board of Harbor Commissioners for the Port of Eureka, and making an appropriation therefor.

Read second time.

Assembly Bill No. 682—An Act providing for the publication of legal or official advertising.

Read second time.

The following amendments were submitted:

Amend Section 1 of the printed bill by inserting after the word "published," in line 8, the words "in the city or town"; also, by adding after the word "year," on line 10, the words "and is published in the same county in which the land or the property in interest is situated."

Adopted.

By Mr. Malcolm:

Amend Section 1, line 1, by inserting the following: "daily," before the word "newspaper."

Adopted.

Mr. Clarke moved that the vote by which the amendment offered by Mr. Malcolm was adopted be reconsidered.

So ordered.

Mr. Malcolm's amendment lost.

By Mr. Power, of San Francisco:

Amend line 8 by inserting, after the word "published," the following: "or by any newspaper published by the Salvation Army."

Lost.

Assembly Bill No. 370—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Read second time.

Assembly Bill No. 810—An Act to amend Section 3 of an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, providing for the submission of the question of reincorporation of such corporations at special elections.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 828—An Act to provide for the appointment of a mining inspector in each congressional district in the State, to define his duties and provide for his compensation, and the liability of mining operators.

Read second time.

The following amendments were submitted by Mr. Robinson:

Amend by striking out of the title, in lines 1 and 2, the words "in each congressional district in the State," and inserting the following: "for the State of California."

Adopted.

Also: Amend by striking out of Section 1, in lines 1 and 2, the words "in each congressional district," and inserting the following: "for the State of California."

Adopted.

Also: Amend by striking out of Section 3, lines 1, 2, 3, and 4 of the printed bill, and inserting the following in lieu thereof: "The commissioner appointed under the foregoing section shall receive compensation at the rate of two thousand four hundred dollars per year and actual traveling expenses while in the discharge of his duty. The term of office of said inspector shall be two years from the date of his appointment, and

he shall give a bond in the sum of five thousand dollars for the discharge of his duties. There is appropriated out of the general fund of the treasury of the State, not otherwise appropriated, the sum of five thousand dollars, to meet said expenditure. All expenditures authorized under this Act shall be subject to the approval of the State Board of Examiners, and the State Controller is hereby directed to draw his warrant for and the State Treasurer is directed to pay the same."

Adopted.

Assembly Bill No. 654—An Act to add a new title to Part IV of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as Title V, 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.

The following amendment was submitted by Mr. North, of Alameda:

Amend by adding after the word "circulation," in Section 1, line 29, the words "*provided, however*, that the officer giving or making or ordering said publication, or notice by publication, shall have the discretion of directing the said publication or notice to be made in a paper devoted exclusively to the dissemination of legal or general news."

Lost.

Assembly Bill No. 654 ordered to engrossment and third reading.

MESSAGES FROM THE SENATE.

Mr. Dibble moved to take up Senate messages.

So ordered.

SENATE CHAMBER, SACRAMENTO, February 25, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following: Assembly Bill No. 864—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-eighth fiscal year.

Also: Amended and passed a substitute for Assembly Bill No. 863—An Act making an appropriation to pay the current printing expenses of the thirty-second session of the Legislature—and respectfully ask your honorable body to concur therein.

Amend by substituting the following for Assembly Bill No. 863:

An Act making an appropriation to pay the current printing expenses of the thirty-second session of the Legislature.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of forty thousand dollars is hereby appropriated, or so much as may be necessary, out of any money in the state treasury not otherwise appropriated, to pay the current printing expenses of the thirty-second session of the Legislature.

SEC. 2. The Controller is hereby authorized to draw his warrant for the amount herein made payable, and the Treasurer is directed to pay the same.

SEC. 3. This Act shall take effect immediately.

F. J. BRANDON, Secretary,
By G. W. McINTYRE, Assistant.

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. Aldridge, Allen, Anderson, Boone, Burnett, Caminetti, Canavan, Clarke, Damon, Dennery, Dibble, Dolan, Elliott, Ennis, Gately, Goodhue, Guy, Hill, Houghton, Hudson, Keegan, Kelly, Kelsey, Lacy, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Sanford, Stansell, Strain, Treacy, Vosburg, Wright, and Mr. Speaker—44.

NOES—Mr. Belshaw—1.

Title read and approved.

MOTION FOR RECONSIDERATION.

Mr. Boone moved to reconsider the vote whereby Assembly Bill No. 63 was on yesterday passed, and asked the consideration of the motion be made special order for to-morrow.

So ordered.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 655—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be numbered and known as Section 51, relating to libel.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 533—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-eighth fiscal year.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 534—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-seventh fiscal year.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 535—An Act making an appropriation to pay the deficiency in the appropriation for office rent of Attorney-General, in San Francisco, for the forty-eighth fiscal year.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 688—An Act to amend Sections 354, 1487, 1488, 1489, 1490, 1491, 1492, 1497, 1501, 1503, 1505, and 1507, and to repeal Sections 1504 and 1506 of the Political Code, relating to State Normal Schools.

On motion of Mr. Stansell, ordered to retain place on file.

Mr. Guy moved that the House do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 510, Senate Bill No. 538, and Assembly Bills Nos. 370, 828, 533, 534, and 535.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 510, Senate Bill No. 538, and Assembly Bills Nos. 370, 828, 533, 534, and 535 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN. The Committee of the Whole have had under consideration Assembly Bill No. 510—An Act to improve Salt River, Humboldt County, from the junction thereof with Eel River to Port Kenyon, by removing therefrom bars and other obstructions to navigation, and to appropriate the sum of $10,000 for that purpose.

Also: Senate Bill No. 538—An Act ceding to the United States of America jurisdiction over all lands within this State which have been or may hereafter be acquired by the United States for military purposes.

Also: Assembly Bill No 370—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico

Also: Assembly Bill No. 533—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-eighth fiscal year.

Also: Assembly Bill No 534—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-seventh fiscal year

Also: Assembly Bill No. 535—An Act making an appropriation to pay the deficiency in the appropriation for office rent of Attorney-General, in San Francisco, for the forty-eighth fiscal year.

And now report the same back, and recommend that the same do pass.

And recommend that Assembly Bill No. 828—An Act to provide for the appointment of a mining inspector in each congressional district in the State, to define his duties and provide for his compensation and the liability of mining operators—do pass as amended.

COOMBS, Chairman.

Report adopted.

Assembly Bill No. 510—An Act to improve Salt River, Humboldt County, from the junction thereof with Eel River to Port Kenyon, by removing therefrom bars and other obstructions to navigation, and to appropriate the sum of $10,000 for that purpose.

Ordered engrossed and to third reading.

Assembly Bill No. 538—An Act to amend Sections 2569, 2570, 2571, and 2572 of the Political Code of the State of California, and to add six new sections thereto, to be numbered 2573, 2574, 2574*a*, 2574*b*, 2574*c*, and 2574*d*, relating to the Board of Harbor Commissioners for the Port of Eureka, and making an appropriation therefor.

Ordered engrossed and to third reading.

Assembly Bill No. 370—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Ordered engrossed and to third reading.

Assembly Bill No. 533—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-eighth fiscal year.

Ordered engrossed and to third reading.

Assembly Bill No. 534—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-seventh fiscal year.

Ordered engrossed and to third reading.

Assembly Bill No. 535—An Act making an appropriation to pay the deficiency in the appropriation for office rent of the Attorney-General, in San Francisco, for the forty-eighth fiscal year.

Ordered engrossed and to third reading.

Assembly Bill No. 828—An Act to provide for the appointment of a mining inspector in each congressional district in the State, to define his duties and provide for his compensation, and the liability of mining operators.

Ordered to printer, engrossment, and third reading.

RESOLUTION—(CASES OF URGENCY).

By Mr. Dibble:

Resolved, That Assembly Bills Nos. 180, 510, 370, 538, 810, 654, 655, 533, 534, and 535, and each of them, present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several says in each house is hereby dispensed with, and it is ordered that said bills and each of them be read the third time, and placed upon their passage.

Mr. Dibble moved the adoption of the resolution.

CALL OF THE HOUSE.

The roll was called, and pending the announcement of the result Mr. Dibble moved a call of the House.

So ordered.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Kelsey, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McGrath, North of Yolo, Pohlmann, Price, Robinson, Rubell, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

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

So ordered.

The question being on adoption of the resolution of urgency.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Goodhue, Guy, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Kelsey, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McGrath, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—58.

NOES—Messrs. Anderson, Dennery, Harris, North of Alameda, and Mr. Speaker—5.

At ten o'clock and ten minutes P. M., the Speaker called Mr. Hill to the chair.

Assembly Bill No. 180—An Act to amend Sections 338, 339, 341 of the Penal Code, and to add two new sections thereto, to be known and designated as Sections 344 and 345, relating to pawnbrokers.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Bridgford, Burnett, Burnham, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dibble, Elliott, Emmons, Fontana, Goodhue, Guy, Hill, Houghton, Hudson, Jones, Keegan, Kelsey, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, North of Alameda, Robinson, Rubell, Sanford, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, and Waymire—45.

NOES—Messrs. Belshaw, Dryden, and Price—3.

Title read and approved.

MOTION.

Mr. Emmons moved that the constitutional provision be suspended, and that he be allowed to introduce a bill out of order.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Bridgford, Burnett, Burnham, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Foreman, Gately, Guy, Harris, Henry, Hill, Hudson, Jones, Kelly, Kelsey, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—57.

NOES—None.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Emmons: Assembly Bill No. 975—An Act to provide an additional Judge of the Superior Court in counties of the twenty-fifth class.

Read first time, and placed on file for second reading.

CASES OF URGENCY—(RESUMED).

Assembly Bill No. 510—An Act to improve Salt River, Humboldt County, from the junction thereof with Eel River to Port Kenyon, by removing therefrom bars and other obstructions to navigation, and to appropriate the sum of $10,000 for that purpose.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Austin, Belshaw, Bettman, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Guy, Harris, Hill, Keegan, Kelsey, Lacy, Leavitt, Mahoney, Malcolm, Melick, North of Alameda, North of Yolo, Pohlmann, Price, Robinson, Sanford, Soward, Stansell, Strain, Treacy, Vosburg, and Waymire—42.

NOES—Messrs. Lindenberger and Toland—2.

Title read and approved.

Assembly Bill No. 538—An Act to amend Sections 2569, 2570, 2571, and 2572 of the Political Code of the State of California, and to add six new sections thereto, to be numbered 2573, 2574, 2574*a*, 2574*b*, 2574*c*, and 2574*d*, relating to the Board of Harbor Commissioners for the Port of Eureka, 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 Aldridge, Arnerich, Austin, Burnett, Burnham, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Elliott, Emmons, Ennis, Fontana, Foreman, Harris, Hill, Houghton, Hudson, Kelsey, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Sanford, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, and Wright—43.

NOES—None.

Title read and approved.

AMENDMENT TO RULES.

Mr. North, of Alameda, offered the following amendment to the rules:

No persons except Senators, State officers, Governors and ex-Governors of the State, members of Congress, Judges of the Supreme or Superior Courts, members of the press when accredited by their respective journals, and Assembly clerks, shall be admitted within the Assembly chamber, except in the galleries, lobby, and in seats around the rail between the lobby and the body of the House during the session of the House; but a majority may have the floor and any and all other portions of the House cleared of any or all such persons. Also, persons may be admitted by consent of the House on special request. The Speaker is charged with the enforcement of this rule.

Laid over and ordered printed in Journal.

CASES OF URGENCY—(RESUMED).

Assembly Bill No. 370—An Act making an appropriation for the erection of an additional building for the State Normal School 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. Aldridge, Arnerich, Austin, Bettman, Burnett, Burnham, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Guy, Harris, Hill, Houghton, Hudson, Keegan, Kelly, Kelsey, Lacy, Leavitt, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McGrath, North of Alameda, North of Yolo, Robinson, Rubell, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Waymire, and Mr. Speaker—49.

NOES—None.

Title read and approved.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 26, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

LEAVE OF ABSENCE.

Mr. Cartwright was granted leave of absence until next Tuesday; Mr. Goff for Wednesday and to-day, and Mr. Fontana for the day.

At ten o'clock and ten minutes A. M., the Speaker called Speaker pro tem. Kenyon to the chair.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Wednesday, February 24th, was approved as corrected.

REPORTS OF STANDING COMMITTEES.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 933—An Act to prohibit the use of machinery driven by other power than manual labor for manufacturing purposes in any prison in the State—have had the same under consideration, and respectfully report the same back without recommendation.

CANAVAN, Chairman.

Assembly Bill No. 933 placed on file for second reading.

MOTIONS.

Mr. Dibble moved to amend the report of Committee on Rules and Regulations, submitted on yesterday, as follows:

By striking out the words "Friday evening, February 26th," and inserting the following: "Monday evening, March 1st," in first paragraph of said report, on page 2 of Journal of the 25th.

Adopted.

Also: Amend by inserting the following for Monday evening:
Assembly Bill No. 151—An Act to provide for the mode of changing grades of public streets, lanes, alleys, courts, and places within municipalities in the State of California.

Adopted.

Also: By striking out the words "Monday evening, March 1st," and inserting the following: "Tuesday evening, March 2d," in paragraph 17, on page 3 of Journal of February 25th.

Adopted.

Mr. Dibble moved that the report of the Committee on Rules and Regulations, submitted on yesterday, and published in the Journal, and amended this day, be adopted.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CONTESTED ELECTIONS.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the resolutions of Messrs. Power and Kelly, as printed in the Journals of February 15th and 16th, beg leave to report as follows:

John W. Power, contestee:	
Witness fees, 7 witnesses, 3 days, at $2	$42 00
Serving subpœnas	3 50
One half of fees of Justices, and taking 315 folios of testimony, at 12½ cents per folio	39 40
Total	$84 90
A. J. Morganstern, attorney for contestant:	
Cost of filing contest	$10 50
Charges of County Clerk	6 00
Serving subpœnas	5 75
Notary fees	2 50
One half of fees of Justices, and taking 315 folios testimony, at 12½ cents per folio	39 40
Witness fees, 23 witnesses, 3 days, at $2	138 00
Mileage to San Francisco and return	18 00
Typewriting, drawing complaints, etc.	45 00
Total	$265 15
Ida I. Woodworth:	
Taking 200 folios, at 20 cents per folio	$40 00
E. J. Mott:	
Reporters' fees, taking testimony	$63 00
Three days, at $10 per diem	30 00
Total	$93 00

And we herewith offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrants, and the Treasurer is instructed to pay the same, in favor of the parties named, and whose claims are approved in the above report, for the several amounts set opposite their respective names.

KENYON, Chairman.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 25, 1897.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 681, 283, 738, 134, 7, 182, 451, and 251.

JAMES H. BUDD, Governor.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 25, 1897.

MR. SPEAKER: I am directed to request your honorable body to return to the Senate Assembly Bill No. 17—An Act fixing the minimum rate of compensation for labor on public work

F. J. BRANDON, Secretary.

Mr. Dibble moved that Assembly Bill No. 17 be returned to the Senate as requested.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, February 26, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the 23d day of February, refused passage to Assembly Bill No 457—An Act to add a new section to the Code of Civil Procedure, to be known as Section 811 thereof, relating to dissolution of corporations.

Also: On the 24th day of February passed Senate Bill No 196—An Act to amend Section 340 of the Penal Code of California, relating to pawnbrokers.

Also: Senate Bill No. 372—An Act to amend Sections 1254 and 1257 of the Code of Civil Procedure, relating to the right of eminent domain.

Also: Senate Bill No. 393—An Act to amend Sections 1817 and 1818 of the Political Code, relating to the public schools.

Also: Senate Bill No. 484—An Act to amend Section 1239 of the Political Code, relating to rules for determining question of residence.

Also: Senate Bill No. 523—An Act to appropriate money for the support of orphans, half orphans, abandoned children, foundlings, and other abandoned infants.

Also: Senate Bill No. 534—An Act to add a new section to the Penal Code, to be designated as Section 354½, making it a misdemeanor to fill, sell, buy, or otherwise dispose of or traffic in any cask, keg, bottle, vessel, siphon, can, case, or other package bearing the duly filed trademark or name of another, printed, branded, stamped, engrossed, etched, blown, or otherwise attached or produced thereon.

F. J. BRANDON, Secretary.
By D. E. MCKINLAY, Assistant.

Senate Bill No. 196—An Act to amend Section 340 of the Penal Code of California, relating to pawnbrokers.

Read first time, and referred to Committee on Revision of Codes and Statutes.

Senate Bill No. 372—An Act to amend Sections 1254 and 1257 of the Code of Civil Procedure, relating to the right of eminent domain.

Read first time, and referred to Committee on Revision of Codes and Statutes.

Senate Bill No. 393—An Act to amend Sections 1817 and 1818 of the Political Code, relating to the public schools.

Read first time, and referred to Committee on Education.

Senate Bill No. 484—An Act to amend Section 1239 of the Political Code, relating to rules for determining question of residence.

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

Senate Bill No. 523—An Act to appropriate money for the support of orphans, half orphans, abandoned children, foundlings, and other abandoned infants.

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

Senate Bill No. 534—An Act to add a new section to the Penal Code,

to be designated as Section 354½, making it a misdemeanor to fill, sell, buy, or otherwise dispose of or traffic in any cask, keg, bottle, vessel, siphon, can, case, or other package bearing the duly filed trademark or name of another, printed, branded, stamped, engrossed, etched, blown, or otherwise attached or produced thereon.

Read first time, and referred to San Francisco Delegation.

Also:

SENATE CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate passed Substitute for Senate Bill No. 689—An Act to promote the horticultural interests of the State, by providing County Boards of Horticulture, and repealing the Act entitled "An Act to promote the horticultural interests of the State," approved March 14, 1881, and certain Acts amendatory thereof, approved March 19, 1889, and March 31, 1891.

Also: Senate Bill No. 265—An Act entitled "An Act to amend Section 3009 of the Political Code, relating to the appointment of officers and employés by the San Francisco Board of Health."

F. J. BRANDON, Secretary.

Substitute for Senate Bill No. 689—An Act to promote the horticultural interests of the State, by providing County Boards of Horticulture, and repealing the Act entitled "An Act to promote the horticultural interests of the State," approved March 14, 1881, and certain Acts amendatory thereof, approved March 19, 1889, and March 31, 1891.

Read first time, and referred to Committee on Fruit and Vine Interests.

Senate Bill No. 265—An Act entitled "An Act to amend Section 3009 of the Political Code, relating to the appointment of officers and employés by the San Francisco Board of Health."

Read first time, and referred to San Francisco Delegation.

Also:

SENATE CHAMBER, SACRAMENTO, February 25, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 10—An Act providing for the improvement and construction of sidewalks outside 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. 293—An Act to repeal an Act entitled "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,'" approved March 28, 1895.

Also: Senate Bill No. 604—An Act to repeal an Act entitled "An Act imposing a tax on the issue of certificates of stock corporations," approved April 1, 1878

Also: Senate Bill No. 537—An Act to amend Section 1536 of the Penal Code, relating to the disposition of property taken on a search warrant.

Also: Senate Bill No. 533—An Act authorizing municipal authorities to designate and set apart streets, and portions of streets, as boulevards, and restricting the power to grant franchises upon streets so designated and set apart.

Also: Senate Bill No. 516—An Act to amend Section 1885 of the Political Code of the State of California, relating to form of bonds, when payable

Also Senate Bill No 503—An Act to amend 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."

Also: Senate Bill No 364—An Act to amend 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."

Also: Senate Bill No. 494—An Act to amend Sections 354, 1487, 1488, 1489, 1490, 1491, 1492, 1497, 1501, 1503, 1505, and 1507, and to repeal Sections 1504 and 1506 of the Political Code, relating to State Normal Schools.

F. J. BRANDON, Secretary

Senate Bill No. 10—An Act providing for the improvement and construction of sidewalks outside 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.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 293—An Act to repeal an Act entitled "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,'" approved March 28, 1895.

Read first time. and referred to Committee on Judiciary.

Senate Bill No. 604—An Act to repeal an Act entitled "An Act imposing a tax on the issue of certificates of stock corporations," approved April 1, 1878.

Read first time, and referred to Committee on Corporations.

Senate Bill No. 537—An Act to amend Section 1536 of the Penal Code, relating to the disposition of property taken on a search warrant.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 533—An Act authorizing municipal authorities to designate and set apart streets, and portions of streets, as boulevards, and restricting the power to grant franchises upon streets so designated and set apart.

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

Senate Bill No. 516—An Act to amend Section 1885 of the Political Code of the State of California, relating to form of bonds, when payable.

Read first time, and placed on Senate special file.

Senate Bill No. 503—An Act to amend 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 Judiciary.

Senate Bill No. 364—An Act to amend 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 substituted for Assembly Bill No. 395 on file.

Senate Bill No. 494—An Act to amend Sections 354, 1487, 1488, 1489, 1490, 1491, 1492, 1497, 1501, 1503, 1505, and 1507, and to repeal Sections 1504 and 1506 of the Political Code, relating to State Normal Schools.

Read first time, and referred to Committee on Education.

On request of Mr. Hudson, Assembly Bill No. 550 was withdrawn, it being identical with Senate Bill No. 516.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Concurrent Resolution No 7—Relating to the appointment of a non-partisan joint committee for examining sites for the foundation of a new State's prison.

Also: Assembly Bill No. 593—An Act to appropriate money for the support of orphans, half orphans, abandoned children, foundlings, and other abandoned infants.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Judiciary.

Also: Assembly Bill No. 913—An Act to pay the claim of the County of Tehama, and making an appropriation therefor.

Also: Assembly Bill No. 914—An Act to pay the claim of the County of Napa, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Claims

Also: Assembly Bill No 717—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 942—An Act to provide for the auditing and examination of the claims against the State of soldiers who served in the Indian wars in California, during the years from 1847 to 1857, to authorize the Adjutant-General to appoint a clerk for that purpose, and making an appropriation for his salary.

Also: Assembly Bill No. 912—An Act making an appropriation to pay the claim of the Southern Pacific Company.

Also: Assembly Bill No. 932—An Act making an appropriation to pay the claim of Charles W. Metcalf against the State of California.

Also: Assembly Bill No 880—An Act providing an appropriation for the improvement of, and repairs to, Sutter's Fort and grounds.

Also: Senate Bill No 362—An Act authorizing the Secretary of State to appoint a clerk, and making an appropriation for the payment of his salary for the remainder of the forty-eighth fiscal year.

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

Also: Assembly Bill No. 851—An Act making an appropriation for furnishing a ward building for 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 pass as amended.

GUY, Chairman.

Assembly Concurrent Resolution No. 7 and Assembly Bill No. 593 re-referred to Committee on Judiciary.

Assembly Bills Nos. 913 and 914 re-referred to Committee on Claims.

Assembly Bills Nos. 717, 851, 880, 942, 912, and 932, and Senate Bill No. 362, placed on file for second reading.

RESOLUTION.

By Mr. Emmons:

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant upon the State Treasurer in favor of J. D. Kelsey, as a member of the Assembly from the Fifty-fifth Assembly District, Santa Clara County, from January 4, 1897, up to and including February 25, 1897, at the rate fixed by law; and be it further

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of said Kelsey for the sum of $25, for contingent expenses as a member of the Assembly, as provided for by Section 23 of Article IV of the Constitution of the State; and be it further

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of said Kelsey for the sum of $25 60, 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 be 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.

MOTION.

Mr. Bridgford moved that the order sending Senate Bill No. 503 to the Committee on Irrigation be rescinded, and the same placed on the Senate special file.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 891—An Act entitled an Act to define and regulate fraternal beneficiary orders—have

had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 879—An Act to amend Section 1276 of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 11—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.

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

CUTTER, Chairman.

Assembly Bills Nos. 891 and 879, and Senate Bill No. 11, placed on file for second reading.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1897.

MR SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 964—An Act to amend Section 3930 of the Political Code, relating to the permanent boundary line between the Counties of Amador and El Dorado—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HUDSON, Chairman.

Assembly Bill No. 964 placed on file for second reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1897.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 29—Relative to the manufacture and sale of glucose—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

GOODHUE, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 450—An Act making an appropriation to pay the claims of Ira H. Locey and Henry Locey, for expenses incurred and services rendered by order of the State Board of Forestry—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, and be referred to the Committee on Ways and Means.

BELSHAW, Chairman.

So ordered.

RESOLUTION.

By Mr. Guy:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for $61 50 in favor of W. O. Banks, Sergeant-at-Arms of Assembly, from the Contingent Fund of the Assembly, to pay for articles as per attached bill:

State of California, to John Breuner, Dr.:

February 19	Twenty yards carpet	$20 00
	Two office chairs, at $9	18 00
	Repairing three desks and two chairs	5 50
	Two office chairs, at $9	18 00
		$61 50

Referred to Committee on Commissions, Retrenchment, and Public Expenditures.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 182—An Act to provide for the inspection of dairies, factories of dairy products, and of

dairy products as to their sanitary condition, and as to the health of dairy animals, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to dairy stock, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PRICE, Chairman.

Senate Bill No. 182 referred to Committee on Ways and Means, and retain its place on the Senate special file.

MOTION.

Mr. Ennis moved the reference of Senate Bill No. 265 be changed from the San Francisco Delegation to the Committee on Public Health and Quarantine.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 90—An Act for the relief of district agricultural associations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and that the same be referred to Ways and Means Committee, as it carries an appropriation.

PRICE, Chairman.

Senate Bill No. 90 ordered on Senate special file, and referred to Committee on Ways and Means.

MOTION.

Mr. Boone moved that the vote by which Assembly Bill No. 63 was finally passed be now reconsidered.

Lost.

UNFINISHED BUSINESS.

Assembly Joint Resolution No. 24—Relative to a bill to increase the salary of letter-carriers.

Passed on file.

MOTION.

Mr. Leavitt moved that the constitutional provision be suspended, and that he be allowed to introduce a bill out of order.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Burnett, Burnham, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Ennis, Foreman, Harris, Henry, Hill, Houghton, Hudson, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Melick, McCandlish, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—56.

NOES—Mr. McClellan—1.

INTRODUCTION OF BILL.

By Mr. Leavitt: Assembly Bill No. 976—An Act in relation to the furnishing of artificial light to the inhabitants of cities of the first class.

Read first time, and referred to the San Francisco Delegation.

MOTIONS.

Mr. Price moved that Assembly Bill No. 727 be passed on file temporarily.

So ordered.

Mr. Shanahan moved that Assembly Bill No. 327 be passed on the file temporarily.

So ordered.

LEAVE OF ABSENCE.

Mr. Dryden was granted leave of absence for the day.

At eleven o'clock and ten minutes A. M., Speaker Coombs resumed the chair.

UNFINISHED BUSINESS—(RESUMED).

Mr. North, of Alameda, moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend Section 37 of printed Senate Bill No. 140, as amended in Assembly February 24, 1897, by striking out all after the word "Act" on line 5, and inserting in lieu thereof the following: "*provided, however,* that nothing in this Act shall prevent any candidate from being nominated as provided in section eleven hundred and eighty-eight of the Political Code; but such nominees can have no other designation on the ballot than the word 'Independent'; *and provided further,* that no more than one candidate shall be nominated by one petition."

So ordered.

The Speaker appointed Mr. North such select committee of one.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 140—An Act providing for general primary elections 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, and for other purposes—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

H. H. NORTH, Committee.

Adopted.

Senate Bill No. 140 ordered to printer.

Mr. North moved that Senate Bill No. 140 be made a special order for Monday, at eleven o'clock A. M.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 15—An Act to amend Section 690 of an Act entitled "An Act to establish a Code of Civil Procedure," by adding a new subdivision, exempting seamen's and fishermen's wages, one piano, one shotgun, and one rifle; also, typewriters and bicycles, from execution.

Also: Assembly Bill No. 598—An Act to amend Section 1413 of the Code of Civil Procedure of the State of California, relating to the appointment of special administrators.

Also: Assembly Bill No. 697—An Act to amend the Penal Code of this State, by adding three sections thereto, to be known as Sections 299, 300, and 301, relating to Sunday and the opening of certain places of business on that day.

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

WAYMIRE, Chairman.

Senate Bill No. 15 placed on file for second reading.

Assembly Bill No. 697—An Act to amend the Penal Code of this State by adding three sections thereto, to be known as Sections 299, 300, and 301, relating to Sunday.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER. Your Committee on Judiciary, to whom was referred Assembly Bill No 633—An Act to amend Section 605 of the Penal Code of the State of California, relating to the removing, defacing, or altering landmarks.

Also: Assembly Bill No. 634—An Act to amend an Act entitled an Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April 16, 1850; approved March 20, 1872.

Also: Assembly Bill No. 841—An Act providing for the maintenance and support of illegitimate children.

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

WAYMIRE, Chairman.

Assembly Bill No. 633—An Act to amend Section 605 of the Penal Code of the State of California, relating to the removing, defacing, or altering landmarks.

Read first time, and placed on file for second reading.

Assembly Bill No. 634—An Act to amend an Act entitled "An Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April 16, 1850; approved March 20, 1872.

Read first time, and placed on file for second reading.

Assembly Bill No. 841 placed on file for second reading.

MOTION—WITHDRAWAL OF BILL.

Mr. Dibble moved that Mr. Coombs be allowed to withdraw Assembly Bill No. 395.

So ordered.

Mr. Coombs withdrew Assembly Bill No. 395.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 356—An Act to amend Section 170 of the Code of Civil Procedure, relating to the disqualification of Judges and Justices of the Peace.

Also: Assembly Bill No. 508—An Act to amend Section 170 of the Code of Civil Procedure

Also: Assembly Bill No. 509—An Act to amend Section 170 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 23, 1893, relating to disqualifications of Judges.

Also Assembly Bill No. 809—An Act to amend Section 170 of an Act entitled "An Act to establish a Code of Civil Procedure, approved March 11, 1872, relating to the disqualification of Judges, as amended by an Act approved March 23, 1893.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors withdraw the same, as Assembly Bill No. 273, amending Section 170 of the Code of Civil Procedure, has already been acted upon by this committee.

WAYMIRE, Chairman.

Assembly Bill No. 508—An Act to amend Section 170 of the Code of Civil Procedure.

Read first time, and placed on file for second reading.

Assembly Bill No. 509 withdrawn by author.

Assembly Bill No. 809—An Act to amend Section 170 of an Act entitled "An Act to establish a Code of Civil Procedure," approved

March 11, 1872, relating to the disqualification of Judges, as amended by an Act approved March 23, 1893.

Placed on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 541—An Act to amend an Act entitled "An Act concerning the water-front of the City and County of San Francisco," approved March 15, 1878—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.

VALENTINE, Chairman.

So ordered.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1897.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution, in relation to sessions of the Legislature—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 38—A resolution to propose to the people of the State of California an amendment to Section 6, Article IX, of the Constitution of the State of California, relating to grammar schools—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Assembly Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to Section 9 of Article XIII of the Constitution of the State of California—have had the same under consideration, and respectfully report the same back without recommendation.

SIMS, Chairman.

ANNOUNCEMENT.

The Speaker announced the appointment of Mr. Kelsey on all committees represented heretofore by Mr. McLaurin.

UNFINISHED BUSINESS—(RESUMED).

Assembly Bill No. 44—An Act to establish and support a Department of Labor.

Passed on file.

Assembly Joint Resolution No. 23—Relative to the protection of the farming industry.

Passed on file.

Assembly Bill No. 484—An Act entitled an Act to make the Police Court in counties, cities, and cities and counties, having a population of two hundred thousand inhabitants, a court of record.

Passed on file.

Assembly Bill No. 62—An Act making an appropriation to pay the claim of Thomas Hatch.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Arnerich, Austin, Bettman, Breiling, Burnett, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Emmons, Ennis, Harris, Henry, Houghton, Jones, Keables, Keegan, Kelly, Kelsey, Kenyon, Lacy, Leavitt, Melick, McCandlish, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, Wright, and Mr Speaker—54

NOES—Messrs. Belshaw, Boone, Hill, Hudson, Mead, and McClellan—6.

Title read and approved.

Assembly Bill No. 523—An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution; to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act.

Passed on file.

Assembly Bill No. 524—An Act to provide for the fencing of the farm property, the further equipment of the farm, and for the laying out and care of the grounds at the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 639—An Act to provide for the care of the dependent and wayward classes.

Withdrawn by author.

Assembly Bill No. 247—An Act making an appropriation to pay the claim of the Daily Report Publishing Company, for advertising the constitutional amendments.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Burnett, Canavan, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Ennis, Foreman, Goodhue, Harris, Henry, Hill, Hudson, Jones, Kelly, Kelsey, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Melick, Mulcrevy, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Robinson, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Toland, Treacy, Valentine, Vosburg, and Wright—50.

NOES—None.

Title read and approved.

Assembly Bill No. 233—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Bettman, Breiling, Caminetti, Canavan, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Emmons, Ennis, Harris, Henry, Hill, Houghton, Kelly, Kelsey, Kenyon, Lacy, Leavitt, Lindenberger, Mulcrevy, McCandlish, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Ryan, Sims, Soward, Stansell, Treacy, Vosburg, Waymire, Wright, and Mr. Speaker—43.

NOES—Messrs. Anderson, Belshaw, Boone, Burnett, Foreman, Hudson, Keegan, Melick, Rubell, Sanford, and Toland—11.

Title read and approved.

Assembly Bill No. 860—An Act to provide for the dredging and improvement of Alviso Slough, 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 Allen, Arnerich, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Cutter, Damon, Dennery, Dolan, Emmons, Ennis, Godfrey, Goodhue, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Kelsey, Kenyon, Leavitt, Mahoney, Malcolm, Mulcrevy, McCandlish, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Ryan, Sanford, Sims, Soward, Stansell, Strain, Treacy, Vosburg, Wright, and Mr. Speaker—50.

NOES—Messrs. Aldridge, Boone, Clarke, Elliott, Foreman, Houghton, Keegan, Lindenberger, Melick, McClellan, Rubell, Toland, Valentine, and Waymire—14

Title read and approved.

MOTIONS.

Mr. North moved that the hour of recess be extended ten minutes.

So ordered.

Mr. Mead moved that the Assembly do now take up Senate messages.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following: Senate Concurrent Resolution No. 8, relative to recalling Senate Bill No. 1 and Assembly Bill No. 22 from the hands of the Governor.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

SENATE CONCURRENT RESOLUTION No. 8.

Resolved by the Senate, the Assembly concurring, That we request the Governor to return to the respective houses, Senate Bill No. 1 and Assembly Bill No. 22.

Adopted.

RESOLUTION.

By Mr. Wright:

Resolved, That when the Assembly adjourn for the day such adjournment shall be until Monday, March 1st, at nine o'clock and thirty minutes A. M., in order that the invitation extended on behalf of the University of California to the members of the Assembly and the Senate for a reception at Berkeley, on Saturday, February 27th, may be accepted.

Adopted.

RECESS.

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

REASSEMBLED.

The Assembly reassembled at two o'clock and ten minutes P. M.

Speaker Coombs in the chair.

Quorum present.

AMENDMENT TO RULES.

Mr. North, of Alameda, moved the adoption of the following amendment to the rules, submitted on yesterday:

No persons except Senators, State officers, Governors and ex-Governors of the State, members of Congress, Judges of the Supreme or Superior Courts, members of the press when accredited by their respective journals, and Assembly clerks, shall be admitted within the Assembly chamber, except in the galleries, lobby, and in seats around the rail between the lobby and the body of the House, during the session of the House; but a majority may have the floor and any and all other portions of the House cleared of any or all such persons. Also, persons may be admitted by consent of the House on special request. The Speaker is charged with the enforcement of this rule.

Mr. Canavan moved to refer the resolution to Committee on Rules and Regulations.

Lost.

Mr. Leavitt moved to amend by inserting after the word "clerks" the words "members of the family of members of the House."

Lost.

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

So ordered.

RESOLUTION.

By Mr. McClellan:

WHEREAS, Hon. Frank A. Blakeley, a distinguished member of the Assembly from Tulare County in the session of 1893, died in this city last night; be it

Resolved, That when this House adjourn to-day it adjourn out of respect to his memory.

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 336—An Act entitled "An Act to restrain the racing, running, trotting, or pacing of certain animals on racetracks 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"—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

BETTMAN, Chairman.

SENATE SPECIAL FILE.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Passed on file.

Senate Bill No. 113—An Act to amend Section 685 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.

Senate Bill No. 155—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.

Passed on file.

MOTION.

Mr. Price moved that the rules be suspended and the Committee on Contested Elections be allowed to introduce a report out of order.

So ordered.

RESOLUTION.

By Committee on Contested Elections:

WHEREAS, It appears from the facts within the knowledge of the Committee on Contested Elections of the Assembly that one A. A. Friedlander has attempted, by means of a forged writing, to draw from the Treasury of the State of California a sum of money for services that the said Friedlander did not perform as an official of this committee, therefore, be it

Resolved, That the grand jury of the County of Sacramento be requested to take cognizance of said offense, and investigate the said charge and the facts connected therewith, and that this Assembly take such further action in the premises as may be right and just.

KENYON, Chairman.

Adopted.

Also:

Resolved, That A. A Friedlander be and he is hereby denied the privilege of admission to the Assembly chamber, or any of the rooms under control of the Sergeant-at-Arms of this House, during the remainder of the session.

KENYON, Chairman.

Mr. Emmons moved that further consideration of this matter be deferred until five o'clock P. M.

So ordered.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 57—An Act to regulate and govern the operation of the rock-crushing plant at the State Prison at Folsom, to provide for the sale of crushed rock and the disposition of the revenues derived therefrom.

Read third time.

Mr. Cutter moved that a select committee of one be appointed by the Speaker to make the following amendment:

Strike out all of Section 4, and insert the following:

SEC. 4 The sale price of all crushed rock sold for road metal for highway purposes shall be the cost of production, with ten per centum added, delivered on board cars or other vehicles of transportation at the rock-crushing plant; *provided*, that no rock shall be sold for highway or other purposes for a less price than thirty cents per ton

Mr. Shanahan moved that the consideration of the whole subject-matter in relation to Senate Bill No. 57 be indefinitely postponed.

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

AYES—Messrs. Aldridge, Allen, Anderson, Boone, Breiling, Burnett, Canavan, Clarke, Dibble, Dolan, Dryden, Emmons, Gately, Godfrey, Harris, Henry, Keables, Lacy, Leavitt, Lindenberger, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McGrath, Power of San Francisco, Ryan, Sanford, Shanahan, Strain, and Treacy—32.

NOES—Messrs. Arnerich, Austin, Belshaw, Bridgford, Burnham, Caminetti, Chynoweth, Cross, Cutter, Damon, Dennery, Elliott, Ennis, Fontana, Foreman, Goodhue, Guy, Hill, Houghton, Hudson, Keegan, Melick, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Sims, Soward, Stansell, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—37.

Mr. Shanahan moved to lay the amendment offered by Mr. Cutter on the table.

The ayes and noes were demanded by Messrs. Shanahan, Emmons, and Leavitt.

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

AYES—Messrs Aldridge, Allen, Anderson, Boone, Breiling, Burnett, Canavan, Clarke, Dibble, Dolan, Emmons, Gately, Godfrey, Harris, Henry, Lacy, Leavitt, Lindenberger, Mahoney, McCandlish, McGrath, Ryan, Sanford, Shanahan, Strain, and Treacy—26.

NOES—Messrs. Arnerich, Austin, Belshaw, Bettman, Bridgford, Burnham, Chynoweth, Cross, Cutter, Damon, Dennery, Dryden, Elliott, Ennis, Fontana, Foreman, Goodhue, Guy, Hill, Hudson, Keables, Keegan, Kelsey, Melick, McClellan, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Sims, Soward, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—40.

Mr. Canavan moved that the whole subject-matter be made the special order for March 4th.

Lost.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Price, Cross, and Valentine.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the appointment of a select committee of one to amend the bill.

The ayes and noes were demanded by Messrs. Price, Cross, and Valentine.

The roll was called, and the motion to appoint a select committee of one carried by the following vote:

AYES—Messrs Austin, Belshaw, Bettman, Bridgford, Burnham, Chynoweth, Cross, Cutter, Damon, Dennery, Ennis, Fontana, Foreman, Goff, Goodhue, Guy, Hill, Houghton, Hudson, Keables, Keegan, Kelsey, Kenyon, Malcolm, Melick, McClellan, North of Alameda, North of Yolo, Price, Robinson, Rubell, Sims, Soward, Stansell, Valentine, Vosburg, and Wright—37.

NOES—Messrs. Aldridge, Allen, Anderson, Burnett, Caminetti, Canavan, Clarke, Dibble, Dolan, Dryden, Elliott, Emmons, Gately, Godfrey, Harris, Henry, Lacy, Leavitt, Lindenberger, Mahoney, McCandlish, McGrath, Power of Placer, Power of San Francisco, Ryan, Sanford, Shanahan, Strain, Toland, Treacy, and Mr. Speaker—31.

The Speaker appointed Mr. Cutter such select committee of one to amend the bill as per instructions of the House.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 57—entitled "An Act to regulate and govern the operation of the rock-crushing plant at the State Prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom"—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.

CUTTER, Committee.

Adopted.

Mr. Anderson moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out all of section eleven.

Lost.

Mr. Dennery moved that Senate Bill No. 57 be immediately transmitted to the printer.

So ordered.

Mr. Bridgford moved that Senate Bill No. 140, which was transmitted to the printer, be returned to the House from printer for further amendments.

So ordered.

RECESS.

At five o'clock P. M., Mr. Clarke moved that the House do now take a recess until seven o'clock and thirty minutes P. M.

So ordered.

REASSEMBLED.

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

Quorum present.

RESOLUTION.

By Mr. Keables:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly, in favor of the Chairman of the Committee on

Public Health and Quarantine, for the sum of $72, to pay the mileage of the following members of said committee, in conformity with a resolution passed by this House:

T. A. Keables	$18 00
O. F. Breiling	18 00
L. A. Henry	18 00
F Mahoney	18 00
Total	$72 00

Adopted.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No 727—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 all Acts and parts of Acts in conflict with this Act"

Also: Assembly Bill No. 523—An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution, to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act.

Also: Assembly Bill No 395—An Act to amend an Act entitled "An Act to establish a tax on collateral inheritance bequests and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893.

Also: Assembly Bill No 431—An Act to amend Section 3641 of the Political Code, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue

Also. Assembly Bill No. 785—An Act to amend Section 602 of the Civil Code, relating to corporations sole.

Also: Assembly Bill No. 632—An Act to provide for the organization and management of county fire insurance companies

Also: Assembly Bill No. 713—An Act making an appropriation for the erection of a ward building for the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 694—An Act authorizing municipal corporations to lease, purchase, own, and operate gravel-beds and quarries, and to transport gravel and rock therefrom to such municipal corporations for the purpose of making, improving, and repairing roads.

Also: Assembly Bill No. 876—An Act to regulate the business of commission merchants, agents, factors, or brokers dealing in farm produce, grain, fruit, seeds, honey, or dairy produce.

Also: Assembly Bill No. 432—An Act to add a new section to the Political Code, to be known as Section 3609 thereof, relating to the general revenue of this State, and to property liable to taxation for the purpose of revenue.

Also: Assembly Reëngrossed Bill No. 484—An Act entitled an Act to make the Police Court in counties, cities, and cities and counties, having a population of two hundred thousand inhabitants, a court of record.

AUSTIN, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 273—An Act to amend Section 170 of the Code of Civil Procedure, and presented the same to the Governor, on this day, at eleven o'clock and fifty-five minutes A. M.

Also: Assembly Bill No. 863—An Act making an appropriation to pay the current printing expenses of the thirty-second session of the Legislature.

Also: Assembly Bill No 864—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-eighth fiscal year.

Also: Assembly Bill No. 170—An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law.

Also: Assembly Bill No 172—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

And presented the same to the Governor, on this day, at eleven o'clock and ten minutes A. M.

FONTANA, Chairman.

REPORT OF CONFERENCE COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER: Your committee on conference concerning the matter in relation to suspension of Joint Rules XLVIII and XL, reading as follows:

XLVIII. *No Bills to be Introduced After Fiftieth Day.*

No bills shall be introduced in either the Senate or the Assembly after the fiftieth day of the session, excepting revenue measures; nor shall any bill be presented to the Governor for approval subsequent to the twelfth day preceding the day of adjournment *sine die*, excepting revenue bills, deficiency bills, and bills for claims against the State.

XL. *The Daily File shall be as follows.*

1. All bills making appropriations for the State Government.
2. All constitutional amendments.
3. Third reading of bills.
4. Second reading of bills.
5 Bills to be considered during the twelve days preceding adjournment, and to be (1) Joint Resolutions; (2) Bills making appropriations for deficiency in any State department; (3) Bills providing for payment of claims allowed by State Board of Examiners; (4) General Appropriation Bill; (5) Tax Levy Bill.

Report that we have met a like committee of the Senate, consisting of Senators Wolfe, Withington, and Seawell, and we report that the committee, after conferring, are unable to agree, and respectfully ask to be discharged.

DIBBLE,
CHYNOWETH,
CAMINETTI,
Conference Committee on behalf of the Assembly.

Adopted.

MESSAGES FROM THE SENATE.

Mr. Dibble moved that the House do now take up Senate messages.

So ordered.

SENATE CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day received a report from the committee on conference in relation to abrogation of Joint Rules XL and XLVIII, in which it appears that no agreement could be reached, and therefore have appointed Senators Dickinson, Luchsinger, and Henderson a committee on free conference, and ask the appointment of a like committee from the Assembly.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Mr. Dibble moved that a committee on free conference be appointed to confer with the Senate committee relative to the abrogation of Joint Rules XL and XLVIII.

So ordered.

The Speaker appointed Messrs. North of Alameda, Cutter, and Emmons as such committee.

Also:

SENATE CHAMBER, SACRAMENTO, February 26, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 7, relative to the charter of the City of San José.

F. J. BRANDON, Secretary.
By ALF D. BOWEN, Assistant.

Senate Concurrent Resolution No. 7—Approving the charter of the City of San José, a municipal corporation, in the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city, at a special election held therein for that purpose, on the 23d day of February, 1897.

Mr. Arnerich moved that the consideration of Senate Concurrent Resolution No. 7 be made special order for next Monday.

So ordered.

SPECIAL ORDER.

Senate Bill No. 140—An Act providing for general primary elections 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, and for other purposes.

Mr. Bridgford moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out all of Section 12, and thereafter renumber the sections following so that they will follow Section 11 in proper numerical order.

So ordered.

The Speaker appointed Mr. Bridgford a select committee of one to amend Senate Bill No. 140.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 140, 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.

BRIDGFORD, Committee.

Adopted.

Senate Bill No. 140 ordered to printer and third reading.

MOTIONS.

Mr. North moved to make Senate Bill No. 140 the special order for next Monday at eleven o'clock A. M.

So ordered.

Mr. Emmons moved that Assembly Bill No. 410 be made the special order for next Tuesday.

So ordered.

At eight o'clock and twenty-five minutes P. M., the Speaker called Mr. Dibble to the chair.

Mr. Bridgford moved that the constitutional provision be suspended, and that he be allowed to introduce a bill out of order.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Aldridge, Allen, Austin, Bettman, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Foreman, Gately, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Landsborough, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, North of Yolo, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Stram, Toland, Treacy, Valentine, Vosburg, and Wright—55.

NOES—None.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Bridgford: Assembly Bill No. 977—An Act to amend Section 170 of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

MOTIONS.

Mr. Mead moved that the rules be suspended and the House do now take up Senate Bill No. 33.

Lost.

Mr. Price moved that the vote by which the resolution offered by Mr. Emmons, relative to the payment of per diem and expenses of Mr. Kelsey, be reconsidered.

So ordered.

The resolution was lost.

RESOLUTION—(OUT OF ORDER).

By Mr. Guy:

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant upon the State Treasurer, in favor of J. D. Kelsey, as a member of the Assembly from the Fifty-fifth Assembly District, Santa Clara County, from January 4, 1897, to February 27, 1897, both inclusive, 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 Kelsey for the sum of $25 60, for his mileage as a member of the Assembly, payable out of the fund for per diem and mileage of Assemblymen; be it further

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of said Kelsey for the sum of $25, for contingent expenses, as a member of the Assembly, as provided for by Section 23 of Article IV of the Constitution of the State, payable out of the fund for contingent expenses of the Assembly.

Ordered printed in the Journal, and laid over one day.

MOTION.

Mr. Valentine moved that the House do now request the Senate to return Senate Bill No. 1 for further consideration.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 645—An Act to amend Section 737 of the Political Code, fixing and providing for the salaries of the Superior Courts of the City and County of San Francisco and the Counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, Yolo, and Calaveras, approved March 31, 1891.

AUSTIN, Chairman.

ADJOURNMENT.

At nine o'clock and thirty-five minutes P. M., on motion of Mr. Mead, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 1, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Guy, Harris, Henry, Hill, Houghton Hudson, Jones, Keables, Keegan, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish,

McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

LEAVE OF ABSENCE.

Messrs. Fontana, Canavan, and Burnett were granted leave of absence for the day, and Messrs. Wright, Bridgford, and Robinson until twelve o'clock M.

READING OF JOURNAL.

The reading of the Journal of Friday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Thursday, February 25th, was approved as corrected.

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 798—An Act to pay the claim of the County of Monterey, and making an appropriation therefor.

Also: Assembly Bill No 874—An Act to pay the claim of the County of Santa Clara, and making an appropriation therefor.

Also: Assembly Bill No. 913—An Act to pay the claim of the County of Tehama, and making an appropriation therefor.

Also: Assembly Bill No 914—An Act to pay the claim of the County of Napa, and making an appropriation therefor.

Also: Assembly Bill No. 948—An Act for the relief of John Mullan, and to appropriate money therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be referred to the Committee on Ways and Means.

BELSHAW, Chairman.

So ordered.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 972—An Act to provide for the care of the dependent and wayward classes.

AUSTIN, Chairman.

CONSIDERATION OF REPORT OF COMMITTEE ON CONTESTED ELECTIONS.

Mr. Kenyon called up the following report of the Committee on Contested Elections, as published in Friday's Journal, and moved its adoption:

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the resolutions of Messrs. Power and Kelly, as printed in the Journals of February 15th and 16th, beg leave to report as follows:

John W. Power, contestee:

Witness fees, 7 witnesses, 3 days, at $2	$42 00
Serving subpœnas	3 50
One half of fees of Justices, and taking 315 folios of testimony, at 12½ cents per folio	39 40
Total	$84 90

A. J. Morganstern, attorney for contestant:

Cost of filing contest	$10 50
Charges of County Clerk	6 00
Serving subpœnas	5 75
Notary fees	2 50
One half of fees of Justices, and taking 315 folios testimony, at 12½ cents per folio	39 40
Witness fees, 23 witnesses, 3 days, at $2	138 00
Mileage to San Francisco and return	18 00
Typewriting, drawing complaints, etc.	45 00
Total	$265 15

Ida I. Woodworth:

Taking 200 folios, at 20 cents per folio	$40 00

E. J. Mott:

Reporters' fees, taking testimony	$63 00
3 days, at $10 per diem	30 00
Total	$93 00

And we herewith offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrants, and the Treasurer is instructed to pay the same, in favor of the parties named, and whose claims are approved in the above report, for the several amounts set opposite their respective names.

KENYON, Chairman.

Amendment by Mr. Anderson:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, in favor of John W. Power for $84 90, balance of his expenses as contestee in the Hoey-Power election case.

Lost.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Dibble, Sims, and Mulcrevy.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the adoption of the report of the committee.

The ayes and noes were demanded by Messrs. Price, Allen, and Power.

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

AYES—Messrs. Allen, Arnerich, Austin, Bettman, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Gately, Godfrey, Guy, Harris, Henry, Houghton, Jones, Keables, Keegan, Kelsey, Kenyon, Landsborough, Leavitt, Mahoney, Malcolm, Mulcrevy, McCandlish, North of Alameda, North of Yolo, Shanahan, Sims, Soward, Toland, Waymire, and Mr. Speaker—38.

NOES—Messrs. Anderson, Belshaw, Boone, Ennis, Foreman, Hill, Hudson, Lindenberger, Melick, McClellan, Power of Placer, Price, Rubell, Strain, Valentine, and Vosburg—16.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 527—An Act to provide additional buildings for the California Home for the Care and Training of Feeble-Minded Children, to equip the same for occupancy and use, to provide a system of electric lighting therein, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUY, Chairman.

Assembly Bill No. 527—An Act to provide additional buildings for the California Home for the Care and Training of Feeble-Minded Children, to equip the same for occupancy and use, to provide a system of electric lighting therein, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 1—An Act to provide for additions and improvements to the Deaf, Dumb, and Blind Asylum, and making an appropriation for the same.

Also: Assembly Bill No 524—An Act to provide for the fencing of the farm property, the further equipment of the farm, and for the laying out and care of the grounds at the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

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

GUY, Chairman.

Assembly Bill No. 524—An Act to provide for the fencing of the farm property, the further equipment of the farm, and for the laying out and care of the grounds at the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly resolution by Mr. Harris to pay for furniture, repairs, etc, ordered by the Sergeant-at-Arms:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for the sum of $800 25, in favor of W. O. Banks, Sergeant-at-Arms of Assembly, from the Contingent Fund, to pay for articles as per attached bill:

State of California to John Breuner, Dr.

February 23—To new desks, tables, and chairs, and repairing furniture, etc., as per attached bill		$800 25
As per itemized account herewith presented:		
February 19—	1 chair	$4 00
	4 chairs @ $2	8 00
	Upholstering 1 chair	5 50
	6 antique desks @ $15	90 00
	1 reed rocker	7 50
	2 desks @ $25	50 00
	2 desk chairs @ $7 50	15 00
	2 desks @ $22 50	45 00
	2 office chairs @ $9	18 00
	2 desks @ $18	36 00
	1 desk	35 00
	Upholstering and repairing 4 chairs (new springs)	22 00
	12 cane-seat chairs @ $2	24 00
	2 desks @ $16 50	33 00
	1 office chair	9 00
	Repairing 5 revolving chairs	3 75
	1 desk	18 00
	1 desk	30 00
	2 desks @ $18	36 00
	1 office chair	9 00
	1 table, to order	15 00
	Refinishing and repairing furniture	9 00
	9 sets castors	4 50
	Repairing tables and chairs	7 50
	1 office chair	9 00
	1 desk	15 00
	1 desk	15 00
	1 office chair	9 00
	1 desk	13 50
	3 office chairs @ $9	27 00
	Repairing chairs and tables	5 50
	1 office chair	9 00
	Upholstering 2 chairs (new springs)	11 00
	Repairing 2 chairs	2 50
	65 yards carpet @ $1	65 00
	Laying 65 yards carpet @ 5c	3 25
	1 antique desk	35 00
	1 antique desk	15 00
	Repairing 4 members' chairs @ 75c	3 00
	12 cane chairs @ $2	24 00
	Repairing furniture (ladies' room)	3 75
		$800 25

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

GUY, Chairman.

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 906—An Act to provide for the construction of a State highway from a point near Coulterville, in Mariposa County, to the Yosemite Valley, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 349—An Act to provide for the purchase of land, the purchase of machinery, the construction of a dam and other improvements by the Trustees of the Napa State Asylum for the Insane, and appropriating money therefor—have had the same under consideration, and respectfully report the same back without recommendation

Also: Senate Bill No 523—An Act to appropriate money for the support of orphans, half orphans, abandoned children, foundlings, and other abandoned infants—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. 19—An Act appropriating money to pay the expenses of carrying on the preliminary work of preparing, collecting, and storing an exhibit of the products of the State of California for the Paris Exposition, to be held in Paris in 1900, and to provide for a commission, secretary of commission, and pay for the secretary thereof—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

GUY, Chairman.

Senate Bill No. 523 referred to Committee on Judiciary.

Assembly Bill No. 19—An Act appropriating money to pay the expenses of carrying on the preliminary work of preparing, collecting, and storing an exhibit of the products of the State of California for the Paris Exposition, to be held in Paris in 1900, and to provide for a commission, secretary of commission, and pay for secretary thereof.

Read first time.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No 524—An Act to provide for the marking by monuments of a portion of the eastern boundary line of 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 not pass.

GUY, Chairman.

Senate Bill No. 524 placed on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 923—An Act to amend 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: Senate Bill No. 265—An Act entitled "An Act to amend Section 3009 of the Political Code, relating to the appointment of officers and employés by the San Francisco Board of Health"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

KEABLES, Chairman.

Assembly Bill No. 923 and Senate Bill No. 265 read first time, and placed on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 917—An Act to amend the Political Code by the addition thereto of a new section, to be known as Section 1554, relating to public 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. 856—An Act to amend an Act to provide for the compiling, illustrating, electrotyping, printing, and distributing a State series of school text-books, and appropriating money therefor, approved February 26, 1885, by amending Sections 6, 7, and 10 of said Act, and by adding a new section to said Act, numbered 6½, providing for the free distributing of text-books for use in the common schools—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw it.

ROBINSON, Chairman.

Assembly Bills Nos. 917 and 856 placed on file for second reading.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 26, 1897.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 11 and 453.

Also. Assembly Bills Nos 840, 172, and Substitute for Assembly Bill No 863.

JAMES H. BUDD, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 25, 1897.

To the honorable Assembly of the State of California

GENTLEMEN: Assembly Bill No. 419 passed your honorable body on January 29th; was then transmitted to the Senate, where, on February 16th, it was amended. It was thereafter, February 19th, passed by the Senate. I do not find that the amendments of the Senate have been concurred in by your honorable body, probably because of a mistake in the Senate message of transmission. Said bill has been transmitted to me for my approval.

The same state of facts exists with reference to Assembly Bill No. 76, which passed your honorable body on February 8th, was amended in the Senate on February 16th, and by it passed on February 19th. The records do not show any concurrence by the Assembly in the Senate amendment. The bill, however, has been transmitted to me for my approval. The error undoubtedly arose owing to the defects in the message of transmission. (Page 15, Assembly History, February 19, 1897.)

I call your attention to these facts that such bills may be withdrawn by your honorable body for further action. This withdrawal should be had on the joint action of both houses

JAMES H. BUDD, Governor.

Referred to Committee on Rules and Regulations.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 26th day of February, passed the following Senate bills:

Senate Bill No 314—An Act to amend Section 480 of the Civil Code, relating to reports to be made to the Board of Railroad Commissioners by railroad and other transportation companies, and fixing a penalty for failure to comply therewith.

Also: Senate Bill No 382—An Act to empower the legislative body of any incorporated city or town within the State of California to levy taxes and expend the same in eradicating fruit-tree pests in cities and towns having within their corporate limits two thousand acres or more of fruit trees.

Also: Senate Bill No. 413—An Act to amend Section 602 of the Civil Code, relating to corporations sole.

Also: Senate Bill No. 422—An Act to amend Sections 1895, 1897, 1898, 1900, 1912, 1913, 1918, 1919, 1924, 1936, 1945, 1962, 1965, 1966, 1970, 1974, 1976, 1981, 1982, 1984, 1986, 1990, 2006, 2007, 2018, 2022, 2076, 2084, 2094, 2099, and 2105 of the Political Code, and to repeal Section 2101 thereof, and to add two new sections thereto, to be known as Sections 2008 and 2009, all relating to the National Guard of California.

Also: Senate Bill No. 451—An Act to require ordinances and resolutions passed by the City Council or other legislative body of any municipality to be presented to the Mayor or other chief executive officer of such municipality for his approval

Also: Senate Bill No 480—An Act to amend Section 465 of the Civil Code, relating to the powers of railroads.

F. J. BRANDON, Secretary.
By D. E. MCKINLAY, Assistant.

Senate Bill No. 314—An Act to amend Section 480 of the Civil Code, relating to reports to be made to the Board of Railroad Commissioners

by railroad and other transportation companies, and fixing a penalty for failure to comply therewith.

Read first time, and placed on file for second reading.

Senate Bill No. 382—An Act to empower the legislative body of any incorporated city or town within the State of California to levy taxes and expend the same in eradicating fruit-tree pests in cities and towns having within their corporate limits two thousand acres or more of fruit trees.

Read first time, and substituted on file for Assembly Bill No. 380.

Senate Bill No. 413—An Act to amend Section 602 of the Civil Code, relating to corporations sole.

Read first time, and substituted on file for Assembly Bill No. 471.

Senate Bill No. 422—An Act to amend Sections 1895, 1897, 1898, 1900, 1912, 1913, 1918, 1919, 1924, 1936, 1945, 1962, 1965, 1966, 1970, 1974, 1976, 1981, 1982, 1984, 1986, 1990, 2006, 2007, 2018, 2022, 2076, 2084, 2094, 2099, and 2105 of the Political Code, and to repeal Section 2101 thereof, and to add two new sections thereto, to be known as Sections 2008 and 2009, all relating to the National Guard of California.

Read first time, and referred to Committee on Military Affairs.

Senate Bill No. 451—An Act to require ordinances and resolutions passed by the City Council or other legislative body of any municipality to be presented to the Mayor or other chief executive officer of such municipality for his approval.

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

Senate Bill No. 480—An Act to amend Section 465 of the Civil Code, relating to the powers of railroads.

Read first time, and referred to Committee on Corporations.

Mr. Dibble moved that he be allowed to withdraw Assembly Bill No. 785, and substitute Senate Bill No. 413 for the same on the special urgency file.

So ordered.

Mr. Lindenberger moved that Senate Bill No. 314 be placed on Senate special file without reference to committee.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 417—An Act to define the duties of and to license land surveyors, amendatory of "An Act to define the duties of and to license land surveyors," approved March 31, 1891.

Also: Senate Bill No. 483—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883.

Also: Senate Bill No 467—An Act to amend Section 1882 of the Political Code of the State of California, relating to the time bonds may be issued for.

F. J BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 417—An Act to define the duties of and to license land surveyors, amendatory of "An Act to define the duties of and to license land surveyors," approved March 31, 1891.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 483—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883.

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

Senate Bill No. 467—An Act to amend Section 1882 of the Political Code of the State of California, relating to the time bonds may be issued for.

Read first time, and substituted on file for Assembly Bill No. 177.

Also:

SENATE CHAMBER, SACRAMENTO, February 27, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No 742—An Act to amend 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 directions, in the discharge of his duties as such commissioner," approved March 24, 1893. (Substitute for Assembly Bill No. 83.)

F. J. BRANDON, Secretary.

Assembly Bill No. 742—An Act to amend 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 directions, in the discharge of his duties as such commissioner," approved March 24, 1893. (Substitute for Assembly Bill No. 83.)

The following Senate amendments were submitted:

SENATE AMENDMENT No. 1.

Strike out of Section 1, line 12, the word "benefits," and insert in lieu thereof the word "compensation."

Concurred in.

SENATE AMENDMENT No. 2.

Strike out of Section 2, line 4, the words "three hundred dollars per month," and insert the following instead: "ten dollars per day."

Refused to concur.

SENATE AMENDMENT No. 3.

Strike out of Section 2, line 6, the words "such traveling expenses."

Refused to concur.

SENATE AMENDMENT No. 4.

Strike out of Section 3, lines 10, 11, 12, 13, and 14, the words "and pass upon the merits of such works, and he shall determine whether or not such works are calculated and sufficient to protect the navigable waters of the State, and he shall keep a record of such determination," and insert the following: "such works, and to report the result of such examination to the State Board of Examiners."

Concurred in.

SENATE AMENDMENT No. 5.

Amend Section 3 by inserting in line 32, printed bill, after the word "board," the words "*provided*, that no plans and specifications involving an expenditure on the part of the State of California of a sum greater than the appropriation herein made shall be approved."

Concurred in.

SENATE AMENDMENT No. 6.

Amend Section 4 by inserting in line 8, printed bill, after the word "causes," the words "and for the purchase of sites therefor."

Concurred in.

SENATE AMENDMENT No. 7.

Amend Section 4 by inserting in line 15, printed bill, after the words "ninety-three," the following: "and it is expressly intended and provided by this Act that the State of California shall in no event incur any liability hereunder beyond the amount of the appropriation herein made; and no contractor, claimant, or person shall acquire any right or obligation against the State of California beyond said sum so appropriated and set apart for the purpose hereinbefore set forth; and it is expressly declared that any claim or demand against the State of California in excess of said appropriation shall be invalid and void."

Concurred in.

SENATE AMENDMENT No. 8.

Amend Section 5 by striking out from lines 4 and 5, printed bill, the words "excepting the salaries of said commissioner and said secretary."

Refused to concur.

SENATE AMENDMENT No. 9.

Amend Section 6 by striking out the whole thereof, and inserting instead thereof the following: "Section 6. Section 6 of said Act is hereby repealed."

Refused to concur.

SENATE AMENDMENT No. 10.

Add a new section, to be numbered Section 7, as follows: "This Act shall take effect immediately."

Concurred in.

Assembly Bill No. 742 ordered returned to the Senate, and that the Senate be informed that the House concurred in Senate amendments numbered 1, 4, 5, 6, 7, and 10, and refused to concur in Senate amendments numbered 2, 3, 8, and 9, and that the Senate is requested to recede from their action in making said amendments, and from said amendments numbered 2, 3, 8, and 9.

Also:

SENATE CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 26th day of February amended, and passed as amended, Assembly Bill No. 622—An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State Home for United States soldiers, sailors and marines, and to provide for the government thereof by the State.

Also: Assembly Bill No. 460—An Act to amend Section 943 of the Code of Civil Procedure.

Also: Assembly Bill No. 459—An Act to amend Section 939 of the Code of Civil Procedure.

Also: Passed Assembly Bill No. 607—An Act to amend Section 1670 of the Political Code of California.

Also: Amended, and passed as amended, Assembly Bill No. 104—An Act to amend an Act to amend an Act entitled "An Act to create and organize the University of California," approved March 23, 1868, approved March 28, 1872, amendatory of Section 25 thereof, relating to the construction of buildings.

Also: Passed Assembly Bill No. 495—An Act relative to the granting by municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles.

Also: Amended, and passed as amended, Assembly Bill No. 173—An Act to add a new section to the Penal Code of the State of California, to be known and designated as Section 180, relating to the acceptance and holding of private deposits of moneys, or other valuables, in the county treasury by the County Treasurers.

F. J. BRANDON, Secretary.
By D. E. MCKINLAY, Assistant.

Assembly Bill No. 622—An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, and to make the same a State Home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State.

The following Senate amendments were submitted:

SENATE AMENDMENT No. 1.

Strike out of Section 12, line 6, the word "seventeen," and insert the word "sixteen."

SENATE AMENDMENT No. 2.

Amend by striking out all of the preamble of the printed bill, pages 1, 2, and 3.

SENATE AMENDMENT No. 3.

Amend by striking out all of Section 2, page 5, of the printed bill, after line 3, and in lieu thereof insert the following: "management and control of the State by a board of nine directors, to be appointed by the Governor, five of whom shall be appointed for the period of four years, and four of whom shall be appointed for the period of two years, as the terms of office of the directors so to be appointed expire; and in case of a vacancy sooner, the Governor shall appoint their successors, who shall each serve for the period of four years thereafter, except that in the event of a vacancy, then the appointee shall only serve for the unexpired period."

SENATE AMENDMENT No. 4.

Amend by striking out, on page 9 of the printed bill, after line 3, Section 11, and renumbering the sections

SENATE AMENDMENT No. 5.

Amend by striking out of Section 1, page 3, of the printed bill, in lines 2 and 3, the words "on the conditions hereinbefore stated in the preamble hereto."

SENATE AMENDMENT No 6.

Amend the amendment by striking out the word "nine," and inserting the word "eleven," and also strike out the word "five," and insert "six," and strike out the word "four," and insert "five."

SENATE AMENDMENT No. 7.

Amend Section 5 by striking out of line 27, of Section 5, the word "*provided*," and also strike out all of lines 28 and 29 of Section 5

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. Allen, Austin, Belshaw, Bettman, Boone, Breiling, Caminetti, Chynoweth, Cutter, Dennery, Dibble, Dolan, Dryden, Elliott, Foreman, Godfrey, Goff, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelsey, Kenyon, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McGrath, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Ryan, Sanford, Shanahan, Soward, Strain, Toland, Valentine, Vosburg, Waymire, and Mr Speaker—47.

NOES—None.

Assembly Bill No. 622 ordered to printer and enrollment.

Assembly Bill No. 460—An Act to amend Section 943 of the Code of Civil Procedure.

The following Senate amendment was submitted:

Amend by prefixing before the word "Section," at the beginning of the first line of the printed bill, the word and figure "Section 1."

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 460?"

The roll was called, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs. Allen, Austin, Belshaw, Boone, Breiling, Caminetti, Chynoweth, Cross, Dennery, Dibble, Dryden, Elliott, Ennis, Foreman, Gately, Godfrey, Goff, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McGrath, North of Alameda, Power of Placer, Robinson, Rubell, Shanahan, Sims, Soward, Strain, Valentine, Vosburg, Waymire, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 460 ordered to printer and enrollment.

Assembly Bill No. 459—An Act to amend Section 939 of the Code of Civil Procedure.

The following Senate amendment was submitted:

Amend by inserting at the beginning of line 1, page 1, of the printed bill, the word and figure "Section 1."

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 459?"

The roll was called, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs. Aldridge, Allen, Belshaw, Bettman, Boone, Breiling, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Godfrey, Goff, Henry, Houghton, Hudson, Jones, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McGrath, North of Alameda, Pohlmann, Power of Placer, Robinson, Rubell, Shanahan, Soward, Strain, Valentine, Vosburg, and Mr. Speaker—44.
NOES—Mr. Power of San Francisco—1.

Assembly Bill No. 459 ordered to printer and enrollment.

Assembly Bill No. 607—An Act to amend Section 1670 of the Political Code of California.

Ordered to enrollment.

Assembly Bill No. 104—An Act to amend an Act entitled "An Act to create and organize the University of California," approved March 23, 1868, approved March 28, 1872, amendatory of Section 25 thereof, relating to the construction of buildings.

The following Senate amendments were submitted:

Amend by striking out the title and inserting the following: "An Act to amend an Act entitled 'An Act to create and organize the University of California,' approved March 23, 1868, and an Act amendatory of Section 25 thereof, approved March 28, 1872, relating to the construction of buildings"

Also: Amend Section 1 by inserting on line 3 the words "Section 25" before the words "the regents shall"

Also: Amend Section 2 by striking out all after "offense," in line 14 of Section 2, and inserting "shall be liable in damages in an amount not less than fifty dollars, which may be recovered by action of law brought for that purpose"

Also: Amend by striking out of Section 4, line 1, the word "immediately," and inserting the words "sixty days."

The question being, "Shall the Assembly concur in Senate amendments to Assembly Bill No. 104?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Aldridge, Allen, Austin, Belshaw, Boone, Breiling, Caminetti, Canavan, Chynoweth, Cross, Damon, Dennery, Dibble, Dryden, Elliott, Ennis, Gately, Godfrey, Goff, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McGrath, North of Alameda, Pohlmann, Power of Placer, Robinson, Rubell, Shanahan, Sims, Soward, Toland, Vosburg, Waymire, and Mr. Speaker—47.
NOES—None.

Assembly Bill No. 495—An Act relative to the granting by municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles.

Ordered to enrollment.

Assembly Bill No. 173—An Act to add a new section to the Penal Code of the State of California, to be known and designated as Section 180, relating to the acceptance and holding of private deposits of moneys or other valuables in the county treasury by the County Treasurers.

The following Senate amendments were submitted:

Amend by striking out of Section 1, lines 5, 6, and 7, the words "or any valuable thing whatever," and "or from any source not compelling him thereto by law."

Also: Amend by striking out of title the words "or other valuables."

The question being, "Shall the Assembly concur in the Senate amendments to Assembly Bill No. 173?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs Aldridge, Allen, Arnerich, Austin, Belshaw, Boone, Breiling, Caminetti, Canavan, Chynoweth, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott,

Ennis, Gately, Godfrey, Goff, Henry, Hill, Houghton, Hudson, Kenyon, Landsborough, Lindenberger, Mahoney, Mead, Melick, McCandlish, McGrath, North of Alameda, Power of Placer, Rubell, Ryan, Shanahan, Sims, Soward, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—46.

NOES—Mr. Treacy—1.

Assembly Bill No. 173 ordered to printer and enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 25, 1897

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 25th day of February amended, and passed as amended, Assembly Bill No. 23—An Act entitled "An Act to amend Section 1575 of the Code of Civil Procedure"

Also: Refused second reading to Assembly Bill No. 183—An Act to amend Section 690 of the Code of Civil Procedure, relating to exemptions from execution.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Assembly Bill No. 23—An Act entitled an Act to amend Section 1575 of the Code of Civil Procedure.

The following Senate amendment was submitted:

Amend by striking out in the title the words "entitled an Act"; also, amend by adding the word and figure "Sec 2."

The question being, "Shall the Assembly concur in the Senate amendment to Assembly Bill No. 23?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Bettman, Boone, Breiling, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Foreman, Gately, Goff, Henry, Hudson, Jones, Keables, Keegan, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McGrath, North of Alameda, North of Yolo, Power of Placer, Price, Robinson, Rubell, Ryan, Shanahan, Sims, Soward, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—56.

NOES—Messrs. Arnerich and Hill—2.

Assembly Bill No. 23 ordered to printer and enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 26th day of February, amended and passed the following as amended: Assembly Bill No 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing body, and repealing conflicting Acts.

Also: Return herewith Assembly Bill No. 4—An Act to protect all citizens in their civil and legal rights—with corrections properly made

F. J. BRANDON, Secretary.

Assembly Bill No. 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing body, and repealing conflicting Acts.

The following Senate amendments were submitted:

Amend Section 1, line 10, of printed bill, by inserting after the word "State," the words "except steam railroads, telegraph lines, and renewal of franchises for piers, chutes, and wharves"

Also: Strike out last section.

Also: Amend Section 1 by adding after the word "and," on line 54, the words "open and."

Also: Amend Section 1 by adding after the word "bids," on line 59, the following: "*and provided further*, that unless the bidder shall file with his bid a bond to such county, city and county, city, town, or district, with at least two good and sufficient sureties, to be approved by such board, or other governing or legislative body, in a penal amount to be by it prescribed, and set forth in the advertisement for bids, conditioned that such body shall well and truly observe, fulfill, and perform each and all of the terms, conditions, and obligations of such franchise, in case the same shall be awarded

to him, and that in case of any breach of condition of such bond, the whole amount of the penal sum therein named shall be taken and deemed to be liquidated damages, and shall be recoverable from the principal and sureties upon said bond, no award of such franchise shall be made upon such bid although the same may be the highest, but such franchise may be awarded to the next highest bidder who shall have complied with this proviso, or, in the discretion of such board or other governing or legislative body, all bids may be set aside and rejected, and new bids advertised for."

Also: Amend by striking out the whole of Section 2, and insert in lieu thereof Section 3 of printed bill, to be known and numbered as "Section 2."

Also: Amend by striking out the whole of Section 3, and insert in lieu thereof Section 4 of printed bill, to be known and numbered as "Section 3."

Also: In line 48, Section 1, of printed bill, strike out the word "not."

Also: In line 58, Section 1, of printed bill, insert the word "the" next after the word "that"

Also: In line 6, Section 3, of printed bill, strike out the word "from" and insert the words "prior to."

Also: Insert after the word "franchise," in line 12, of Section 3, of printed bill, the words "*and provided further*, that on the application of the Mayor, or of a majority of the Board of Supervisors, Board of Trustees, Common Council, or other governing or legislative body above described, it shall be the duty of the Attorney-General to sue for a forfeiture of any franchise granted by such governing or legislative body, alleging in such suit non-compliance with the terms of the franchise."

The question being, "Shall the Assembly concur in the Senate amendments to Assembly Bill No. 396?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Kenyon, Landsborough, Melick, Mulcrevy, McCandlish, McGrath, Power of Placer, Robinson, Rubell, Ryan, Sims, Soward, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—51.

NOES—Messrs. Arnerich, Cross, and Shanahan—3.

Assembly Bill No. 396 ordered to printer and enrollment.

Assembly Bill No. 4—An Act to protect all citizens in their civil and legal rights.

The following Senate amendments were submitted:

Amend by striking out of Section 2 all after "offense," on line 14, of Section 2, and inserting "shall be liable in damages in an amount not less than fifty dollars, which may be recovered in an action at law brought for that purpose."

Also: Amend by striking out of Section 2, line 1, the words "sixty days."

Also: Amend by striking out "Sec. 4."

The question being, "Shall the Assembly concur in the Senate amendments to Assembly Bill No. 4?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Bettman, Caminetti, Canavan, Chynoweth, Clarke, Cross, Dibble, Dryden, Elliott, Emmons, Ennis, Godfrey, Goff, Goodhue, Guy, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Kenyon, Landsborough, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Robinson, Shanahan, Sims, Soward, Strain, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 4 ordered to printer and enrollment.

RE-REFERENCE OF BILL.

Senate Bill No. 524 was re-referred to the Committee on Ways and Means.

SPECIAL ORDERS.

Assembly Bill No. 727—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 all Acts and parts of Acts in conflict with this Act.

Passed on file.

Assembly Bill No. 327—An Act adding a new section to the Civil Code, relating to the location of and to compel the construction of depots, stations, sidetracks, switches, turnouts, and spurs, by transportation companies in the State of California, and fixing a penalty for failure to comply thereto.

Passed temporarily on file.

Mr. Toland moved that the Committee on Engrossment be required to report back Assembly Bill No. 327 to this House not later than two o'clock P. M. to-day.

So ordered.

Senate Bill No. 140—An Act providing for general primary elections 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, and for other 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. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Keables, Kelsey, Kenyon, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—58.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Caminetti gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 140 was passed.

Assembly Bill No. 727—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 all Acts and parts of Acts in conflict with this Act."

Read third time.

Mr. Price moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out lines 1 and 2 of the printed bill.

So ordered.

The Speaker appointed Mr. Price such select committee of one to amend the bill as per instructions.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 727—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 all Acts and parts of Acts in conflict with this Act—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, Committee.

Adopted.

Mr. Price moved that Assembly Bill No. 727 be sent to printer, and retain its place on file.

So ordered.

Mr. Cutter moved that the hour of recess be extended thirty minutes.

So ordered.

QUESTION OF PRIVILEGE.

Mr. Caminetti spoke to a question of personal privilege relative to the San Francisco Examiner's charges of corruption in the passage of Assembly Bill No. 273.

RECESS.

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

REASSEMBLED.

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

Quorum present.

RESOLUTION.

By Mr. McClellan:

WHEREAS, The Examiner of Friday, the 26th of February, charged that the members of this House had been bribed to vote for Assembly Bill No. 273, introduced by Mr. Caminetti; therefore, be it

Resolved, That a committee of five be appointed by the Speaker to investigate these charges, said committee to report not later than Wednesday, the 3d of March.

Mr. Waymire moved that the resolution be laid on the table.

The ayes and noes were demanded by Messrs. McClellan, Toland, and Sanford.

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

AYES—Messrs. Cutter, Melick, Strain, and Waymire—4.

NOES—Messrs Allen, Anderson, Arnerich, Austin, Belshaw, Boone, Breiling, Burnham, Caminetti, Canavan, Cross, Dibble, Dryden, Ennis, Godfrey, Goff, Guy, Harris, Hill, Houghton, Hudson, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mead, McCandlish, McClellan, North of Alameda, North of Yolo, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Toland, Treacy, Valentine, Vosburg, and Mr. Speaker—48.

The question being on the adoption of the resolution. The same was adopted.

LEAVE OF ABSENCE.

Mr. Wright was granted leave of absence for the balance of the day.

SENATE SPECIAL FILE.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Passed on file.

Senate Bill No. 113—An Act to amend Section 685 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.

Senate Bill No. 57—An Act to regulate and govern the operation of the rock-crushing plant at the State Prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 4, line 6, the word "thirty," and inserting the following: "forty."

Lost.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Cutter, Sims, and Ennis.

The previous question being, "Shall the main question be now put?"

So ordered.

The question being on the final passage of Senate Bill No. 57.

The roll was called.

Pending the announcement of the result, Mr. Cutter moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Burnham, Caminetti, Canavan, Clarke, Cross, Cutter, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, and Gately.

Pending roll call, Mr. Cutter moved that further proceedings under call of the House be dispensed with.

So ordered.

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

AYES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Dennery, Dibble, Elliott, Ennis, Foreman, Goff, Guy, Hill, Houghton, Hudson, Keables, Keegan, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Price Robinson, Rubell, Sanford, Sims, Soward, Toland, Treacy, Valentine, Vosburg, and Waymire—44.

NOES—Messrs. Aldridge, Allen, Boone, Canavan, Dolan, Dryden, Emmons, Gately, Godfrey, Goodhue, Harris, Henry, Lacy, Mahoney, McCandlish, McClellan, McGrath, Power of Placer, Power of San Francisco, Ryan, Shanahan, Strain, and Mr. Speaker—23

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Anderson gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 57 was finally passed.

Senate Bill No. 155—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. Aldridge, Anderson, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Clarke, Cross, Cutter, Dibble, Dryden, Elliott, Emmons, Goff, Goodhue, Guy, Harris, Jones, Keables, Kelsey, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, Power of Placer, Price, Robinson, Ryan, Shanahan, Sims, Soward, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—42.

NOES—Messrs Allen, Boone, Chynoweth, Damon, Gately, Godfrey, Hill, Houghton, Hudson, Keegan, Lacy, Landsborough, McCandlish, North of Alameda, North of Yolo, Power of San Francisco, Rubell, and Strain—18.

Title read and approved.

APPOINTMENT OF SPECIAL COMMITTEE.

The Speaker appointed Messrs. Belshaw, Clarke, Hill, Mead, and Ryan as a special investigating committee, under the resolution offered by Mr. McClellan.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 32—An Act to amend Section 3633 of the Political Code of the State of California, relating to the assessment of property of persons neglecting or refusing to make and give to the Assessor a statement of his property.

Mr. Bettman moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 1, line 32, the words "but the value fixed by the Assessor must not in any case be reduced by the Board of Supervisors."

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. Aldridge, Allen, Anderson, Austin, Belshaw, Boone, Breiling, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Goff, Goodhue, Hill, Houghton, Hudson, Keables, Kelly, Kelsey, Kenyon, Lacy, Landsborough, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, Power of Placer, Price, Rubell, Ryan, Sanford, Sims, Soward, Strain, Toland, Valentine, Vosburg, and Mr. Speaker—54

NOES—Messrs. Bettman, Guy, Harris, Henry, Leavitt, Robinson, and Waymire—7.

Title read and approved.

At three o'clock and ten minutes P. M., the Speaker called Mr. Shanahan to the chair.

Senate Bill No. 33—An Act for the certification of land titles, and the simplification of the transfer of real estate.

Read third time.

Mr. Valentine moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by inserting the word "and" after the word "action," in line 6 of Section 13 of the printed bill

So ordered.

Mr. Valentine was appointed such select committee of one to amend the bill as per the instructions of the House.

REPORT OF SELECT COMMITTEE OF ONE

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR SPEAKER: Your select committee, to whom was referred Senate Bill No 33—An Act for the certification and the simplification of the transfer of real estate—with instruc-

tions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

VALENTINE, Committee.

Adopted.

Mr. Elliott moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 6, line 53, the word "ten," and inserting the following: "five."

Lost.

Senate Bill No. 33 ordered to printer, to retain its place on Senate special file.

Senate Bill No. 132—An Act to amend Section 1207 of the Civil Code, relating to transfers of real property, and fixing a time when defective certificates of acknowledgment shall become valid.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Austin, Belshaw, Breiling, Burnham, Caminetti, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Guy, Harris, Houghton, Hudson, Jones, Keables, Kelsey, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Yolo, Price, Rubell, Sanford, Shanahan, Sims, Soward, Valentine, Vosburg, and Waymire—45.

NOES—Messrs. Hill, Keegan, Landsborough, and Strain—4.

Title read and approved.

Senate Bill No. 50—An Act defining the different grades of cheese, and for branding the same, manufactured 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 Aldridge, Allen, Austin, Belshaw, Boone, Breiling, Burnham, Canavan, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Foreman, Gately, Godfrey, Guy, Harris, Hill, Hudson, Jones, Keables, Kelly, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McGrath, North of Yolo, Price, Rubell, Sanford, Shanahan, Sims, Soward, Strain, Valentine, Vosburg, and Waymire—48.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Boone was granted leave of absence for Tuesday and Wednesday.

SPECIAL ORDER.

Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California for the forty-ninth and fiftieth fiscal years.

Mr. Guy moved that the Assembly do now resolve itself into Committee of the Whole, with Mr. Shanahan in the chair, for the purpose of considering Assembly Bill No. 937.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Shanahan in the chair.

Assembly Bill No. 937 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Shanahan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California for the forty-ninth and fiftieth fiscal years—and now report progress, and ask leave to sit again.

SHANAHAN, Chairman.

RESOLUTION.

By Mr. Keegan:

Resolved, That the committee appointed to investigate the charges of bribery made by the Examiner relative to Assembly Bill No. 273 be and they are hereby authorized to send for persons and papers, to administer oaths, and to do all other things necessary to make a thorough investigation of the charges preferred.

Adopted.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1897.

MR SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 480—An Act to amend Section 465 of the Civil Code, relating to the powers of railroad corporations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CUTTER, Chairman.

Assembly Bill No. 480 ordered placed on Senate special file for second reading.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No 872—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bills Nos 265, 587, and 710—Acts to establish the fees of county, township, and other officers, and of jurors and witnesses in this State—have had the same under consideration, and respectfully report the same back, and recommend that the authors be permitted to withdraw the same.

BURNHAM, Chairman.

Assembly Bill No. 872 ordered placed on file for second reading.
Assembly Bills Nos. 265, 587, and 710 withdrawn by authors.

WITHDRAWAL OF NOTICE OF RECONSIDERATION.

Mr. Caminetti was granted unanimous consent to withdraw his notice of reconsideration, given to-day, in reference to the final passage of Senate Bill No. 140.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1897.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No 282, have had the same under consideration, and respectfully report the same back, and recommend that the substitute offered be inserted instead.

DENNERY, Chairman

The question being, "Shall the constitutional provision be suspended and the Committee on Labor and Capital allowed to introduce a bill out of order?"

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Ennis, Foreman, Goff, Goodhue, Harris, Henry, Hill, Houghton, Hudson, Keables, Keegan, Kelsey, Kenyon, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—59.

NOES—None.

INTRODUCTION OF BILL.

By Committee on Labor and Capital: Assembly Bill No. 978—An Act entitled "An Act to limit and regulate the production and manufacture of articles of convenience in the State of California."

Read first time, and placed on file for second reading.

WITHDRAWAL OF BILLS.

Mr. Cutter moved that he be allowed to withdraw Assembly Bills Nos. 780 and 915.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1897.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Senate Bill No. 535—An Act to add a new section to the Penal Code, to be designated as Section 354¾, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package—have had the same under consideration, and respectfully report the same back, and recommend that it be substituted for Assembly Bill No. 569.

H. T. POWER, Chairman.

Senate Bill No. 535—An Act to add a new section to the Penal Code, to be designated as Section 354¾, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

Placed on Senate special file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Senate Bill No 196—An Act to amend Section 340 of the Penal Code of California, relating to pawnbrokers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

H. T. POWER, Chairman.

Senate Bill No. 196—An Act to amend Section 340 of the Penal Code of California, relating to pawnbrokers.

Placed on Senate special file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1897.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Senate Bill No. 550—An Act to amend Section 171 of the Penal Code, relating to unauthorized communication with convicts in the State prison—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

H. T. POWER, Chairman.

Senate Bill No. 550—An Act to amend Section 171 of the Penal Code, relating to unauthorized communication with convicts in the State prison.

Placed on Senate special file for second reading.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1897.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No 877—An Act to prevent the perpetuation of disease, to prevent crime, and to provide for a surgical operation in certain cases—is amended by striking out the word "shall," and insert the word "may" in lieu thereof. Also, at beginning of line 6 insert the words "discretion and"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

MALCOLM, Chairman

Placed on file for second reading.

MESSAGES FROM THE SENATE.

Mr. Dennery moved that the Assembly now take up Senate messages. So ordered.

SENATE CHAMBER, SACRAMENTO, March 1, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the 27th day of February, passed Senate Concurrent Resolution No. 9, relative to recalling Assembly Bill No. 419 and Assembly Bill No 76.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant

SENATE CONCURRENT RESOLUTION No. 9.

Resolved by the Senate, the Assembly concurring, That Assembly Bill No 419—An Act to amend Section 542 of the Code of Civil Procedure—and Assembly Bill No 76—An Act to amend Section 261 of the Penal Code of the State of California, relating to the crime of rape, and what constitutes the same—be recalled from the Governor and returned to the Assembly for further action, it appearing from a communication received from Governor James H Budd that the Assembly has failed to act on the amendments to said bills adopted by the Senate

Adopted.

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 507—An Act to authorize the State Board of Harbor Commissioners to establish and maintain a free public market upon the waterfront of San Francisco, and providing for the expenses and regulations thereof.

F. J BRANDON, Secretary.
By G. W McINTYRE, Assistant.

Senate Bill No. 507—An Act to authorize the State Board of Harbor Commissioners to establish and maintain a free public market upon the waterfront of San Francisco, and providing for the expenses and regulations thereof.

Read first time, and referred to Committee on Agriculture.

Also:

SENATE CHAMBER, SACRAMENTO, February 27, 1897

MR SPEAKER. I am directed to inform your honorable body that the Senate, on the 26th day of February, passed Assembly Bill No. 536—An Act to authorize the Board of Fish Commissioners to dispose of the hatchery located on Battle Creek, in Tehama County, and expend the proceeds of the same.

Also: Assembly Bill No. 255—An Act to amend Section 874 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, in relation to notice for bids for public work.

F. J BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Assembly Bills Nos. 536 and 255 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1897.

MR SPEAKER: I am directed to return to your honorable body as per your request of this date, and for further consideration, Senate Bill No 1—An Act to amend an Act to enable school districts in cities of the fifth class to issue bonds and to repeal an Act to enable cities of the fifth class to issue bonds for school purposes, approved March 23, 1893—and herewith transmit same.

F. J. BRANDON, Secretary.

Mr. Valentine moved that the vote by which Senate Bill No. 1 was finally passed by the Assembly be now reconsidered.

So ordered.

Mr. Valentine moved that a select committee of one be appointed by the Speaker to make the following amendments:

Amend by inserting in line 1 of Section 1, after the words and figures "Section 1," page 2, of the printed bill, the following:

Section 1 of an Act entitled "An Act to enable school districts in cities of the fifth class, and school districts which embrace a territory a portion of which is within and a portion of which is without such cities of the fifth class, to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more schoolhouses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes, and to repeal an Act approved March 31, 1891, entitled an Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more schoolhouses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes," approved March 23, 1893, is hereby amended to read as follows.

Also: Amend by striking out the word "this" in line 1, Section 3, of the printed bill, and insert in lieu thereof the word "said."

Adopted.

The Speaker appointed Mr. Valentine such select committee of one to amend Senate Bill No. 1 as per instructions from the House.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1897.

MR SPEAKER: Your select committee, to whom was referred Senate Bill No. 1—An Act to amend an Act to enable school districts in cities of the fifth class to issue bonds, and to repeal an Act to enable cities of the fifth class to issue bonds for school purposes, approved March 23, 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

VALENTINE, Committee.

Adopted.

Senate Bill No. 1 ordered to printer, to retain its place on Senate special file.

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 139—An Act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof

Also: Amended, and passed as amended, Assembly Bill No 17—An Act fixing the minimum rate of compensation for labor on public works.

F. J BRANDON, Secretary.
By D. E. MCKINLAY, Assistant.

Assembly Bill No. 139—An Act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof.

Ordered to enrollment.

Assembly Bill No. 17—An Act fixing the minimum rate of compensation for labor on public works.

Referred to Committee on Judiciary.

PRESENTATION OF PETITIONS.

By Mr. Dryden: From citizens of San Diego and Los Angeles counties, in reference to the sale of liquor.

By Mr. Toland: From citizens of Redlands, in reference to the enactment of a Sunday law.

By Mr. Lindenberger: From citizens of Riverside, asking for the enactment of a Sunday law.

Also: From citizens of Riverside, relative to the enactment of a Sabbath law.

Referred to Committee on Public Morals.

MOTION.

Mr. Pohlmann moved that he be allowed to withdraw Assembly Bill No. 719.

Consent granted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1897.

MR SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No 927—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 without recommendation.

A. W. NORTH, Chairman.

Assembly Bill No. 927—An Act to repeal an Act entitled "An Act to declare Lake Earl, in Del Norte County, navigable.

Placed on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 541—An Act to amend an Act entitled "An Act concerning the waterfront of the City and County of San Francisco," approved March 15, 1878—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 665, which is identical.

POHLMANN, Chairman.

Senate Bill No. 541—An Act to amend an Act entitled "An Act concerning the waterfront of the City and County of San Francisco," approved March 15, 1878.

Ordered placed on Senate special file for second reading.

RECESS.

At five o'clock and twenty-five minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and forty minutes P. M.

Speaker Coombs in the chair.

Quorum present.

At seven o'clock and fifty minutes P. M., the Speaker called Mr. Leavitt to the chair.

SPECIAL URGENCY FILE.

Assembly Bill No. 151—An Act to provide the mode of changing grades of public streets, lanes, alleys, courts, and places within municipalities in the State of California.

Read second time.

The following amendment was submitted:

Amend by striking out all after the enacting clause, and insert the following:

SECTION 1. The City Council of any municipality, when the public convenience may require it, are hereby empowered to change or modify the grade of any public street, lane, alley, place, or court, in the manner and as hereinafter provided. Before any change of grade is ordered the City Council shall pass a resolution of intention to make such change or changes of grade, and shall publish a copy of said resolution in a newspaper in which the official notices of the City Council are usually printed and published, such newspaper to be designated in the resolution of intention. Said resolution shall be published in every regular issue of such newspaper for not less than ten days, and shall describe the proposed change of grades, and shall designate the district to be affected thereby; and within the limits of said district when the same shall have been finally determined, as hereinafter provided, the lots of land to be benefited by such change of grade shall be assessed to pay any damage that may be awarded by reason of the change. One or more streets, or blocks of any street or avenue, may be embraced in the same proceedings: *provided*, that not more than three entire blocks in length in each street or avenue shall intervene between the changes of grade proposed and designated in such proceedings. Within five days after the first publication of the resolution of intention, the Superintendent of Streets shall cause to be conspicuously posted within the district designated in the resolution, notices of the passage of said resolution. Said notices shall be the same in all requirements of contents and posting as the "Notice of street work," provided for in section three of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March eighteen, eighteen hundred and eighty-five. If no protest as hereinafter provided to said proposed change or changes of grade, or the extent of said district, shall be filed with the clerk of the City Council within thirty days from the first publication of the resolution of intention hereinbefore mentioned, the City Council shall thereafter declare such grades to be changed and the said district to be established in conformity to said resolution of intention.

SEC. 2. Within thirty days after the first publication of the resolution of intention, the owners of one half or more of the frontage of the property upon the street or streets of which the grade is proposed to be changed, and lying within the district therein designated, may file a written protest against such proposed change of grade, stating the number of feet of such frontage owned by the person or persons making such protest, and signed by such owners. Such protest, when representing one half, or more, of the frontage of the property, upon such street or streets, within the district designated, shall terminate all proceedings for the proposed change of grade for not less than six months, after which time proceedings for the change of grade may again be begun as provided herein, subject to the right of the owners of one half or more of said frontage to protest each time as hereinbefore provided, and with like effect. A protest to the extent of the district of lands to be affected, benefited, or damaged by said work or improvement and to be assessed to pay the costs, expenses, and damages thereof, may be filed by any person or persons owning real property within the proposed district, in writing, signed by each and giving his post office address, within thirty days after the first publication of the notice of the passage of the resolution of intention. The City Clerk shall lay said protest before the City Council, which shall, at its next meeting, after the expiration of said period of thirty days, fix a time for hearing said objections, not less than ten days thereafter. The City Clerk shall thereupon notify the person or persons making such protest by depositing a notice thereof in the post office of said city, postage prepaid, addressed to each protestant. At the time specified the said Council shall hear the objections urged, and pass upon the same, and finally establish the district to be affected thereby, and its decision shall be final and conclusive. At such hearing the City Council may modify or change the size of the district, but notice of such modification or change shall be given in the same manner as upon said resolution of intention, and upon such notice being given the property owners within the district as modified or changed shall have a like right to make objections to the size of the district as upon the original resolution of intention. If the objections are overruled by the City Council, proceedings shall continue the same as if such objections had not been made. At the expiration of the time prescribed, during which the aforesaid protests may be filed, if no such protest or protests shall have been filed, or if a protest shall have been filed to the extent of the said district, and said Council, after hearing, shall have overruled the same, the City Council shall be deemed to have acquired jurisdiction to order said change of grade, as authorized by section one of this Act.

SEC. 3. Within twenty days after the said district shall have been finally established, any person owning land therein, and claiming damage by reason of such change of grade, shall file a petition with the City Council, or Clerk thereof, setting forth in such

petition a copy of the notice, the fact of the petitioner's ownership, his post office address, the description and situation of the property claimed to be damaged, its market value, and the estimated amount of damages over and above all benefits which the property would sustain by the proposed change if completed, and asking the appointment of commissioners to assess and report to the City Council the amount of damages and benefits that will be sustained by the property by reason of such change. The owners of two or more lots of land affected by such change may unite in the same petition, and when more than one petition is filed, the City Council may act upon all the petitions jointly. Each petition shall be verified by the oath of one of the petitioners therein named, or by the agent of such petitioner

SEC 4. If the petition mentioned in the preceding section of this Act be filed, as therein provided, the City Council shall fix a time and place for the hearing of the same, which hearing shall be not less than ten days after the expiration of the twenty days allowed for filing such petitions, and shall give notice thereof to said petitioner or petitioners A notice shall be deposited in the post office at the place of hearing at least five days before the time of hearing, postage prepaid thereon, and addressed to each of said petitioners at his post office address, as contained in his said petition Said notice shall designate the time and place of hearing of the petition, and shall notify the petitioner that the City Council, or a committee thereof, will at such hearing take such legal evidence and hear such witnesses, under oath (which oath may be administered by any member of the Council), as he may produce in support of his petition. The City Council, or its committee, may subpœna such witnesses to appear and testify at the hearing as may be deemed necessary, and after hearing the testimony shall thereupon proceed to act upon the petition; *provided*, that no action shall be taken upon said petition until proof by affidavit shall have been made of the mailing of the notice, as provided herein.

SEC. 5. If the City Council shall find that the petition does not present a proper case for the payment of damages, it shall notify the petitioner, by a written notice, duly mailed to him at the post office address designated in his petition, that such petition is denied, and fifteen days after mailing such notice, the City Council may proceed to change the grade the same as if no such petition was filed. If, after the hearing of the petition, the City Council shall by its judgment thereon decide that the petition presents a proper case for the payment of damages, it shall so notify the Mayor, who shall appoint a commission of three citizens who are freeholders within the city, or city and county, and who are not interested in the lands to be assessed, to assess the benefits and damages to each separate lot of land as the same appears of record on the last assessment roll within the limits designated in the resolution of intention

SEC 6. The commissioners, when appointed, shall be sworn to make the assessments of benefits and damages to the best of their judgment and ability, without fear or favor, and that they have no interest in the controversy, nor in any of the land within the limits designated. Upon subscribing to the oath, and filing the same, and a bond to be approved by the Mayor in the penal sum of five thousand dollars, conditioned for the faithful discharge of their duties, with the City Council, the said commissioners shall be qualified to discharge their duties in the premises.

SEC. 7. The commissioners shall visit and inspect all the lots of land and improvements appurtenant thereto, within the district established as aforesaid. The commissioners shall have power to subpœna witnesses to appear before them, and examine, under oath, which any one of them shall be authorized to administer, any witnesses produced before them by any party, touching the matter to be investigated, and such other witnesses as they may deem necessary to fully acquaint themselves with the actual amount of benefits and damages which will result to the respective parties interested in the proposed change

SEC. 8. The commissioners, having determined the damage which will be sustained by each petitioner in excess of all benefits, shall proceed to assess the whole amount thereof, together with the costs, charges, and expenses of the proceedings, including the compensation of the commissioners for their services, ratably upon the several lots of land benefited within the limits of the district, so that the same shall be distributed according to the benefits produced by such change as nearly as possible. The commissioners shall receive for their services not more than five dollars per day for a period to be fixed by the Mayor when making the appointments, not exceeding three months, unless such time be further extended by the Mayor, and during the progress of their work shall make such reports to the City Council as the City Council may require The said commissioners shall not be allowed to sell, transfer, or assign any claim or demand which they, or either of them, may have for their said services, and any sale, transfer, or assignment of any such claim or demand shall be null and void.

SEC. 9. The commissioners shall make their report in writing, and shall subscribe the same and file it with the City Council In their said report they shall describe separately each piece of property which will sustain damage, stating the amount of damages which it will sustain over and above all benefits They shall also give a brief description of each lot benefited within the designated limits, the name of the owner, if known, and the amount of benefit in excess of damage assessed against the same When the amount of benefit and damage assessed to a lot is equal, such fact shall be stated in the report In case the three commissioners do not agree, the award agreed upon by any two of them shall be sufficient. In designating the lots to be assessed, reference may be had to a diagram of the property in the district affected, such diagram to be attached to and form a part of the report of the commissioners.

SEC. 10. If, in any case, the commissioners find that conflicting claims of title exist, or shall be in ignorance or doubt as to the ownership of any lot of land, or of any improvements thereon, or of any interest therein, it shall be set down as belonging to unknown owners. Error in the designation of the owner or owners of any land or improvements, or of the particulars of their interest, shall not affect the validity of the assessment. On the filing of said report, the clerk of said City Council shall publish notice of such filing for at least ten days in one or more daily newspapers printed, published, and circulated in said municipality, or if there be no such daily newspaper, by not less than three successive insertions in a weekly or semi-weekly newspaper so printed, published, and circulated. Said notice shall also require all persons interested to show cause, if any, why such report should not be confirmed before the City Council, on or before a day fixed by the City Council, and stated in said notice, which day shall not be less than twenty days from the first publication thereof.

SEC. 11. All objections shall be in writing and filed with the clerk of the City Council, who shall, at the next meeting after the day fixed in the notice to show cause, lay the said objections, if any, before the City Council, which shall fix a time for hearing the same, of which the clerk shall notify the objectors in the same manner as the notice specified in section four of this Act is required to be given, to appear at the time set, or at such other time as the hearing may be adjourned to. The City Council shall then hear such objections and pass upon the same, and at such time, or such other time as may be fixed, shall proceed to pass upon such report, and may confirm, correct, modify, or reject the same, or may order the commissioners to make a new assessment report and plat, which shall be filed not later than one month from the date of making such order. Notice shall be given and hearing had as in the case of an original report, which second report shall be subject to like action by the City Council, *provided, however*, that should the second report be rejected by the City Council, the commission shall terminate, and thereupon a new set of commissioners shall be appointed by the Mayor.

SEC. 12. The clerk of said City Council shall forward to the Street Superintendent of the city a certified copy of the report, assessment, and plat, as finally confirmed and adopted by the City Council. Such certified copy shall thereupon be the assessment roll, the cost of which shall be provided for by the commissioners as a portion of the cost of the proceedings herein. Immediately upon receipt thereof by the Street Superintendent, the assessment therein contained shall become due and payable, and shall until paid be a lien upon each respective lot or piece of the property contained or described therein, for the amount assessed upon each lot.

SEC. 13. The Superintendent of Streets shall thereupon give notice by publication for ten days in one or more daily newspapers published and circulated in said city, or city and county, or by two successive insertions in a weekly or semi-weekly newspaper so published and circulated, that he has received said assessment roll, and that all sums levied and assessed in said assessment roll are due and payable immediately, and that the payment of said sums is to be made to him within thirty days from the date of the first publication of said notice. Said notice shall also contain a statement that all assessments not paid before the expiration of said thirty days will be declared to be delinquent, and that thereafter the sum of five per cent upon the amount of each delinquent assessment, together with the cost of advertising each delinquent assessment, will be added thereto. When payment of any assessment is made to said Superintendent of Streets, he shall write the word "paid" and the date of payment opposite the respective assessment so paid, and the names of persons by or for whom said assessment is paid, and shall give a receipt therefor. On the expiration of said thirty days all assessments then unpaid shall be and become delinquent, and said Superintendent of Streets shall certify such fact at the foot of said assessment roll, and shall add five per cent to the amount of each assessment so delinquent.

SEC. 14. The said Superintendent of Streets must within ten days from the date of said delinquency publish the delinquent list, which must contain the names of the persons, and a description of the property delinquent, and the amount of the assessment and costs and percentage due, including the cost of publication of said delinquent list for each name and piece proportionally, which last shall not exceed the sum of one dollar for each lot, piece, or parcel of land separately assessed. He must append and publish with the delinquent list a notice that unless the assessments delinquent, together with the costs and percentage, are paid, the real property upon which the same are a lien will be sold at public auction. The publication must be made once a week for three successive weeks in some newspaper or supplement thereto published in such city or municipality, and must designate the time and place of sale. The time of sale must not be less than twenty-two nor more than thirty days from the first publication, and the place must be at the office of the said superintendent, or in front thereof.

SEC. 15. As soon as the superintendent has made such publication, he must file with the County Recorder of the county within which such city or municipality is situated, a copy of the publication, with an affidavit attached thereto that it is a true copy of the same, that the publication was made in a newspaper or supplement thereto, stating its name and place of publication, and the date of each appearance.

SEC. 16. Said superintendent must collect, in addition to the assessment due on the delinquent list, the five per centum added thereto, and the proportional cost of the publication of said delinquent list on each lot, piece, or tract of land separately assessed.

SEC. 17. On the day fixed for the sale, or on some subsequent day to which he may have postponed it, of which he must give notice, the said superintendent, between the hours of ten o'clock A. M. and three P. M., must commence the sale of the property adver-

tised, commencing at the head of the list and continuing in the order as advertised until completed He may postpone the day of commencing the sale from day to day, but the sale must be completed within three weeks from the day first fixed. The person who will take the least quantity of any real estate offered for sale, or in case an undivided interest is assessed, then the smallest portion of the interest, and pay the assessment and costs and percentage due, including fifty cents to the said superintendent for the duplicate certificate of sale, is the purchaser. If the purchaser does not pay the taxes and costs before ten o'clock A M of the following day, the property must then be resold for the assessment, costs, and percentage The bid of any person refusing to make the payment for property purchased by him must not be received for the sale of any other property on the delinquent list If, at said sale, no person shall in good faith bid the amount of said assessment with the aforesaid cost, the Superintendent of Streets shall bid in the lot for the amount of assessment and costs, in the name of the municipality, and upon his filing a certificate of said sale with the Treasurer of such municipality, the Treasurer shall transfer, from any money in the treasury not specially appropriated, the amount so bid to the fund for the change of grade for which the assessment was made.

SEC. 18. After receiving the amount of the assessment and costs, the said superintendent must make out, in duplicate, a certificate, dated on the day of sale, stating (when known) the name of the person assessed, a description of the land sold, the amount paid therefor, that it was sold for said assessment, giving the amount thereof, and specifying the time when the purchaser will be entitled to a deed The certificate must be signed by said superintendent and one copy delivered to the purchaser and the other filed in the office of the County Recorder of the county in which such city or municipality is situated. Said superintendent, before delivering any certificate, must, in a book, enter a description of the land sold, corresponding with the description in the certificate, the date of sale, purchaser's name, and amount paid, regularly number the descriptions on the margin of the book, and put a corresponding number on each certificate Such book must be open to public inspection, without fee, during office hours, when not in actual use On filing the certificate with said County Recorder, the lien of the assessment created by this Act vests in the purchaser, and is only divested by the payment to him, or to the said superintendent for his use, of the purchase money and thirty per cent thereon.

SEC. 19. A redemption of the property sold may be made by the owner, or any party in interest, within twelve months from the date of the purchase, by the payment to the purchaser, or to the Superintendent of Streets, for his use, of the purchase money and thirty per cent thereon. When redemption is made to such superintendent he must credit the amount paid to the person named in the certificate note such payment upon the assessment record in his office, and pay it on demand to such person or his assignees. On receiving the certificate of sale, the County Recorder must file it and make an entry in a book similar to that required of the superintendent, and on the presentation of the receipt of the person named in the certificate, or of said superintendent, for his use, for the total amount of the redemption money, the County Recorder must mark the word "redeemed," the date, and by whom redeemed, on the certificate and in the margin of the book where the entry of the certificate is made No charge shall be made by the County Recorder for any of the services to be performed by him under this Act.

SEC. 20. If the property is not redeemed within one year after said sale, the superintendent, or his successor in office, must make to the purchaser or his assignee a deed of the property, reciting in the deed substantially the matters contained in the certificate, and that no person has redeemed the property within the time allowed for its redemption The superintendent shall receive from the purchaser three dollars for making such deed.

SEC. 21. The deed of the Street Superintendent, made after such sale, in case of failure to redeem, shall be prima facie evidence of the regularity of all proceedings hereunder, and of title in the grantee. The Superintendent of Streets shall, from time to time, pay over to the City Treasurer all moneys collected by him on account of any such assessments. The City Treasurer shall, upon receipt thereof, place the same in a separate fund, designating such fund by the name of the street, square, lane, alley, court, or place for the change of grade of which the assessment was made. Payments shall be made from said fund to the parties entitled thereto upon warrants signed by the commissioners, or a majority of them

SEC 22. When sufficient money is in the hands of the City Treasurer, in the fund devoted to the proposed work or improvement, to pay for the damage to the land and improvements damaged, and when the discretion of the commissioners, or a majority of them, the time shall have come to make payments, it shall be the duty of the commissioners to notify the owner, possessor, or occupant of any land or improvements thereon to whom damages shall have been awarded, that a warrant has been drawn for the payment of the same, and that he can receive such warrant at the office of such commissioners, such notification to be made by depositing a notice, postage paid, in the post office, addressed to his last known place of abode or residence. If, at the expiration of thirty days after the deposit of such notice, he shall not have applied for such warrant, the warrant so drawn shall be deposited with the County Treasurer and shall be delivered to such owner, possessor, or occupant, upon written demand therefor by him or his legal representatives

SEC. 23. The Treasurer shall pay such warrants out of the appropriate fund, and not otherwise, in the order of their presentation; *provided*, that warrants for land or

improvements damaged shall have the priority over warrants for charges and expenses, and the Treasurer shall see that sufficient money is and remains in the fund to pay all warrants of the first class before paying any of the second.

SEC. 24 Upon payment to the City Treasurer of the amount of the assessment sufficient to pay for the damage to land and improvements, the City Council shall declare the grade to be changed in accordance with the resolution of intention, and said change of grade shall thereupon be established.

SEC 25. If the grade of any street which shall have been sewered and paved and accepted by the City Council in such manner that the municipality has undertaken to keep such street in repair at the public expense shall be changed, the expense of grading the same to the changed grade shall be assessed to and payable by the owners of property abutting thereon, in accordance with all the provisions of this Act; but the expense of all other work rendered necessary upon the accepted portion of such street by such change of grade thereof shall be borne and paid by the municipality in which the work is done

SEC 26 Any party who has, pursuant to the provisions of section three of this Act, claimed damages to accrue from a change of grade, who is dissatisfied with the action of the City Council thereon, may, within ten days after notice of such action has been mailed to his address, as required by section four of this Act, appeal to the Superior Court of the county, or city and county; and any person dissatisfied with the assessment of benefits and damages may appeal therefrom within ten days after action has been taken thereon by the City Council, as provided in section eleven of this Act.

SEC 27. Such appeal shall be taken by making application for a writ of review in accordance with the provisions of title one of part three of the Code of Civil Procedure of California, and shall have precedence over all other business before said court, except the trial of criminal causes Upon the hearing of the matter in the Superior Court, the record of the proceedings before the City Council shall be prima facie evidence of the facts therein shown, and the court may receive and consider other evidence pertinent to the matters set forth in the application for a writ of review. Upon the hearing of the appeal, the court may review all matters affecting the proceedings before the City Council, and may set aside, or confirm, or modify any or all of the proceedings appealed from, and may award costs to the prevailing party on the appeal. The judgment of the Superior Court on such appeal shall be final.

SEC. 28 First—The word "municipality" and the word "city" as used in this Act shall be so understood and construed as to include and are hereby declared to include all corporations heretofore organized and now existing, and those hereafter organized, for municipal purposes.

Second—The term "Street Superintendent" and "Superintendent of Streets" as used in this Act shall be understood and so construed and are hereby declared to include any person or officer whose duty it is under the law to have the care and charge of streets or the improvement thereof in any city In all those cities where there is no Street Superintendent or Superintendent of Streets, the City Council thereof is hereby authorized and empowered to appoint a suitable person to discharge the duties herein laid down as those of the Street Superintendent or Superintendent of Streets, and all the provisions hereof applicable to the Street Superintendent or Superintendent of Streets shall apply to such person so appointed

Third—The term "City Council" is hereby declared to include any body or board which under the law is the legislative department of the government of any city.

Fourth—The term "Clerk" and "City Clerk" as used in this Act is hereby declared to include any person or officer who shall be clerk of said City Council.

SEC. 29. All Acts and parts of Acts in conflict or inconsistent with this Act are hereby repealed.

SEC. 30. The provisions of this Act shall be liberally construed to promote the objects thereof.

SEC 31. This Act shall take effect and be in force immediately.

Mr. Dibble moved that the original amendment to Assembly Bill No. 151 be submitted to the State Printer and used to set up the same, and then returned to the Minute Clerk, for him to return to the Chief Clerk.

So ordered.

Assembly Bill No. 187—An Act appropriating the sum of $5,000 for repairs and improvements in the State Normal School at Los Angeles, California.

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. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Boone, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Dibble, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy,

McCandlish, McClellan, North of Alameda, North of Yolo, Power of Placer, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Toland, Valentine, and Vosburg—53.

NOES—None.

Title read and approved.

Assembly Bill No. 376—An Act to appropriate money for the erection of additional buildings at the Preston School of Industry at Ione, and for furnishing and equipping the same.

Read second time.

Assembly Bill No. 378—An Act to provide for certain improvements at the Preston School of Industry, and making an appropriation therefor.

Read second time.

Assembly Bill No. 402—An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act.

Read second time.

Assembly Bill No. 867—An Act to amend Section 647 of the Penal Code of California. (Substitute for Assembly Bill No. 576.)

Read second time, and ordered considered engrossed and to third reading.

Assembly Bill No. 437—An Act making an appropriation to pay the claim of F. M. Millikan, for publishing delinquent purchasers of State school lands.

Read second time.

Assembly Bill No. 657—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 considered engrossed and to third reading.

Assembly Bill No. 862—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the powers of the Boards of Trustees of certain cities.

Read second time, and ordered considered engrossed and to third reading.

Assembly Bill No. 160—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 859—An Act to amend an Act entitled "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 and watercourses, 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," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 438—An Act to prevent the granting of franchises or privileges for the construction, extension, or operation of railroads over or upon county roads or highways by Boards of Supervisors of the several counties 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 Aldridge, Allen, Anderson, Arnerich, Boone, Burnham, Caminetti, Canavan, Clarke, Cross, Cutter, Dibble, Dolan, Dryden, Elliott, Foreman, Gately, Goff, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Jones, Kelsey, Landsborough, Leavitt, Mulcrevy, McCandlish, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Robinson, Rubell, Sanford, Soward, Strain, Toland, Treacy, Vosburg, and Waymire—44.

NOES—Messrs. Godfrey, Melick, and Valentine—3

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Cross gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 438 was finally passed.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 364—An Act for the relief of district agricultural associations.

Read second time, and ordered engrossed and to third reading.

Senate Bill No. 539—An Act relinquishing to the United States of America the title of this State to certain lands.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Anderson, Arnerich, Austin, Burnham, Canavan, Clarke, Cross, Cutter, Dibble, Dolan, Dryden, Elliott, Foreman, Gately, Goff, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Jones, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Melick, Mulcrevy, McCandlish, McClellan, Pohlmann, Power of Placer, Robinson, Rubell, Sanford, Shanahan, Soward, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—47.

NOES—Messrs Boone, Godfrey, and Treacy—3.

Title read and approved.

Senate Bill No. 364—An Act to amend 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.

The following amendment was submitted by Mr. Cutter:

Amend Section 1 by inserting after the word "sister," at the end of line 20, the following: "and niece or nephew when a resident of the State"

Adopted.

Senate Bill No. 364 ordered to printer, engrossed, and to third reading.

Assembly Bill No. 431—An Act to amend Section 3641 of the Political Code, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dibble,

Dolan, Dryden, Elliott, Foreman, Gately, Goff, Goodhue, Guy, Henry, Hill, Houghton, Jones, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, Pohlmann, Power of Placer, Robinson, Rubell, Sanford, Shanahan, Sims, Soward, Strain, Toland, Valentine, and Vosburg—51.
NOES—Messrs Godfrey, Hudson, Treacy, and Waymire—4.

Title read and approved.

Assembly Bill No. 432—An Act to add a new section to the Political Code, to be known as Section 3609 thereof, relating to the general revenue of this State, and to property liable to taxation for the purpose of revenue.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Boone, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Foreman, Gately, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Kelsey, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McClellan, Pohlmann, Power of Placer, Robinson, Rubell, Ryan, Sanford, Shanahan, Soward, Strain, Toland, Treacy, Valentine, Vosburg, and Waymire—51.
NOES—Mr. Godfrey—1.

Title read and approved.

Assembly Bill No. 433—An Act to amend Section 3608 of the Political Code of California, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dibble, Dryden, Elliott, Foreman, Goff, Goodhue, Hill, Houghton, Hudson, Jones, Kelly, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Price, Rubell, Ryan, Sanford, Shanahan, Soward, Strain, Toland, Treacy, Valentine, and Vosburg—52.
NOES—Messrs. Gately and Godfrey—2.

Title read and approved.

Assembly Bill No. 785—An Act to amend Section 602 of the Civil Code, relating to corporations sole.

Passed on file.

Assembly Bill No. 713—An Act making an appropriation for the erection of a ward building for the Southern California State Asylum for the Insane and Inebriates.

Passed on file.

Assembly Bill No. 694—An Act authorizing municipal corporations to lease, purchase, own, and operate gravel-beds and quarries, and to transport gravel and rock therefrom to such municipal corporations, for the purpose of making, improving, and repairing roads.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Boone, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dibble, Dryden, Elliott, Emmons, Foreman, Goff, Goodhue, Guy, Henry, Hill, Hudson, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, Pohlmann, Power of Placer, Rubell, Sanford, Soward, Strain, Treacy, Valentine, Vosburg, and Waymire—47.
NOES—Messrs. Godfrey, Kelly, and Lacy—3

Title read and approved.

Assembly Bill No. 876—An Act to regulate the business of commission merchants, agents, factors, or brokers dealing in farm produce, grain, fruit, seeds, honey, or dairy produce.

Read third time.

Mr. Treacy moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 2, line 2, the word "ten," and inserting the following: "four."

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. Aldridge, Arnerich, Austin, Belshaw, Boone, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Foreman, Goff, Goodhue, Guy, Hill, Houghton, Hudson, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Mead, Melick, McCandlish, North of Alameda, North of Yolo, Power of Placer, Price, Robinson, Rubell, Sanford, Shanahan, Sims, Soward, Strain, Toland, Waymire, and Mr. Speaker—47.

NOES—Messrs. Allen, Bettman, Gately, Godfrey, Henry, Lacy, Mahoney, Mulcrevy, and McGrath—9

Title read and approved.

MOTIONS.

Mr. Bettman moved that Senate Bill No. 519 be made the special order for to-morrow morning at eleven o'clock.

So ordered.

Mr. Guy moved that the Assembly do now go into Committee of the Whole, with Mr. Leavitt in the chair, for the purpose of considering Assembly Bills Nos. 376, 378, 402, 437, 160, and 364.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Leavitt in the chair.

Assembly Bills Nos. 376, 378, 402, 437, 160, and 364 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Leavitt in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 376—An Act to appropriate money for the erection of additional buildings at the Preston School of Industry at Ione, and for furnishing and equipping the same.

Also: Assembly Bill No 378—An Act to provide for certain improvements at the Preston School of Industry, and making an appropriation therefor.

Also: Assembly Bill No 402—An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act.

And now report, and recommend that the same do pass as amended

Also. Assembly Bill No. 437—An Act making an appropriation to pay the claim of F M Millikan, for publishing delinquent purchasers of State school lands.

Also: Assembly Bill No. 364—An Act for the relief of district agricultural associations

Also: Assembly Bill No. 160—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

And now report, and recommend that the same do pass without amendment

LEAVITT, Chairman.

Adopted.

Assembly Bill No. 376—An Act to appropriate money for the erection of additional buildings at the Preston School of Industry at Ione, and for furnishing and equipping the same.

The following committee amendments were submitted:

Amend by striking out of Section 3, line 1, the words "eighty-one thousand five hundred," and inserting the following: "fifty-six thousand"

Adopted.

Also. Amend by striking out of Section 1, lines 7 and 8, the words "hospital." "superintendent's residence"

Adopted.

Also: Amend by adding a new section, to be numbered four:
The State Board of Examiners are hereby instructed to require the Trustees of the Preston School of Industry to cause to be performed by the inmates thereof as much of the work hereby authorized as can be properly done by them; and for this purpose the Trustees of said school are hereby exempted from existing laws directing otherwise than as herein provided, subject, however, to the approval of the State Board of Examiners.

Adopted.

Also: Amend Section 4 by renumbering it Section 5.

Adopted.

Assembly Bill No. 376 ordered to printer, engrossment, and third reading.

Assembly Bill No. 378—An Act to provide for certain improvements at the Preston School of Industry, and making an appropriation therefor.

The following committee amendments were submitted:

Amend by striking out of Section 1, line 3, the words "ten thousand one hundred," and inserting the following: "two thousand seven hundred and fifty."

Adopted.

Also: Amend by striking out of Section 1, lines 7, 8, 9, the words "to build a site," "and necessary equipment," "and building," "and out-houses," "and furnishing the same," "other."

Adopted.

Assembly Bill No. 378 ordered to printer, engrossment, and third reading.

Assembly Bill No. 402—An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act.

The following committee amendment was submitted:

Amend by striking out of Section 6, line 3, the words and figures "twenty-five thousand (25,000)," and inserting the following: "ten thousand (10,000)."

Adopted.

Assembly Bill No. 402 ordered to printer, engrossment, and third reading.

RESOLUTION—(CASES OF URGENCY).

By Mr. Cutter:

Resolved, That Assembly Bills Nos. 867, 437, 657, 862, 160, 859, and Senate Bill No. 413, and each of them, present cases of urgency, as that term is used in Section 15, of Article IV, of the Constitution, and the provision of that section requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills, and each of them, be read the third time, and that Senate Bill No. 413 be read the second and third times, and that all of said bills be placed upon their final passage.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Boone, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Goff, Goodhue, Guy, Hill, Houghton, Hudson, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Toland, Treacy, Vosburg, and Waymire—57.

NOES—Messrs. Godfrey and Mr. Speaker—2.

Assembly Bill No. 867—An Act to amend Section 647 of the Penal Code 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. Aldridge, Allen, Anderson, Belshaw, Boone, Burnham, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dryden, Elliott, Emmons, Foreman, Goff, Goodhue, Harris, Henry, Hill, Hudson, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, Pohlmann, Power of Placer, Price, Rubell, Ryan, Shanahan, Sims, Soward, Strain, Toland, Treacy, Vosburg, and Waymire—44.

NOES—Messrs. Bridgford, Dibble, Gately, Godfrey, and North of Alameda—5.

Title read and approved.

Assembly Bill No. 437—An Act making an appropriation to pay the claim of F. M. Millikan, for publishing delinquent purchasers of State school 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. Aldridge, Allen, Arnerich, Austin, Belshaw, Bridgford, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Foreman, Gately, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Rubell, Ryan, Sanford, Sims, Soward, Treacy, Valentine, Vosburg, and Waymire—51.

NOES—Messrs. Anderson and Godfrey—2.

Title read and approved.

Assembly Bill No. 657—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 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. Anderson, Burnham, Chynoweth, Cross, Damon, Dibble, Goodhue, Jones, Kenyon, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, McCandlish, North of Alameda, North of Yolo, Soward, Strain, and Treacy—21

NOES—Messrs. Aldridge, Allen, Austin, Boone, Bridgford, Canavan, Clarke, Dolan, Dryden, Elliott, Ennis, Foreman, Gately, Godfrey, Goff, Henry, Hill, Houghton, Hudson, Kelsey, Lacy, McGrath, Power of Placer, Price, Robinson, Rubell, Sanford, Sims, Toland, Valentine, Vosburg, and Waymire—32.

NOTICE OF RECONSIDERATION.

Mr. Waymire gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 657 was refused final passage.

REPORT OF SPECIAL COMMITTEE—(OUT OF ORDER).

MR. SPEAKER: Your special committee, appointed to investigate the charges made by the Examiner in reference to the passage of Assembly Bill No. 273, beg leave to report progress, and respectfully request that the Speaker of the Assembly appoint for this committee a sergeant-at-arms, clerk, and stenographer from among the present attachés of the Assembly, thereby saving any additional expense for this investigation.

BELSHAW, Chairman

Adopted.

CASES OF URGENCY—(RESUMED).

Assembly Bill No. 862—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the powers of the Boards of Trustees of certain cities.

Read third time.

Mr. Canavan moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out all of subdivision 17, Section 1, lines 104, 105, and 106

Lost.

Mr. North moved that the further consideration of this bill be made a special order for Thursday evening, at seven o'clock and thirty minutes.

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. Aldridge, Anderson, Belshaw, Boone, Bridgford, Burnham, Caminetti, Canavan, Clarke, Cross, Damon, Dibble, Dryden, Elliott, Emmons, Foreman, Goff, Guy, Hill, Jones, Lindenberger, Mahoney, Malcolm, Melick, Pohlmann, Power of Placer, Price, Robinson, Rubell, Shanahan, Soward, Strain, Toland, Valentine, Vosburg, and Waymire—36.

NOES—Messrs. Allen, Arnerich, Austin, Dolan, Gately, Godfrey, Henry, Kenyon, Lacy, Landsborough, Leavitt, McCandlish, McGrath, North of Alameda, North of Yolo, and Ryan—16.

MOTION.

Mr. Cutter moved that Assembly Bill No. 122 be re-referred to Committee on Engrossment, and retain its place on file.

So ordered.

NOTICE OF RECONSIDERATION.

Mr. North gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 862 was refused final passage.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 327—An Act adding a new section to the Civil Code, relating to the location of, and to compel the construction of depots, stations, sidetracks, switches, turnouts, and spurs by transportation companies in the State of California, and fixing a penalty for failure to comply therewith

Also: Assembly Bill No. 828—An Act to provide for the appointment of a mining inspector in each congressional district in the State, to define his duties, and provide for his compensation and the liability of mining operators.

Also: Assembly Bill No. 682—An Act providing for the publication of legal or official advertising.

AUSTIN, Chairman

CASES OF URGENCY—(RESUMED).

Assembly Bill No. 160—An Act to pay the claim of Lawrence Dunnigan 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. Anderson, Arnerich, Austin, Bettman, Burnham, Caminetti, Canavan, Cross, Cutter, Damon, Dibble, Dolan, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Guy, Harris Henry, Hill, Jones, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Rubell, Ryan, Shanahan, Soward, Strain, Treacy, Vosburg, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Assembly Bill No. 859—An Act to amend an Act entitled "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 and watercourses, 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," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Allen, Anderson, Arnerich, Austin, Bettman, Bridgford, Burnham, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Elliott, Emmons, Ennis, Foreman, Gately, Goff, Guy, Harris, Henry, Hill, Jones, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney Malcolm, Melick, Mulcrevy, McCandlish, McGrath, North of Yolo, Pohlmann, Robinson, Rubell, Sims, Soward, Treacy, Vosburg, and Mr Speaker—45.

NOES—Messrs. Landsborough, and Power of Placer—2.

Title read and approved.

Senate Bill No. 413—An Act to amend Section 602 of the Civil Code, relating to corporations sole.

Read second time, ordered considered engrossed, and to third reading.

Senate Bill No. 413—An Act to amend Section 602 of the Civil Code, relating to corporations sole.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Anderson, Arnerich, Austin, Bettman, Bridgford, Burnham, Caminetti, Canavan, Cutter, Damon, Dibble, Dolan, Emmons, Ennis, Foreman, Gately, Godfrey, Harris, Henry, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McGrath, North of Alameda, Pohlmann, Power of Placer, Ryan, Shanahan, Soward, Strain, Toland, Treacy, Waymire, and Mr. Speaker—43.

NOES—Messrs Clarke, Cross, Guy, Hill, Price, Robinson, and Rubell—7.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CONTESTED ELECTIONS.

MR SPEAKER: Your Committee on Contested Elections, having had under consideration the claims in the case of Kelsey vs. McLaurin, of the Fifty-fifth Assembly District, beg to report as follows, viz.:

Louis Montgomery, attorney for J. D. Kelsey:

Attorney's fees	$100 00	
Stenographer's fees	30 60	
Filing petition	7 00	
Sheriff's fees	3 00	
		$140 60
J. D. Kelsey, witness fees		101 00
V. A. Scheller, attorney for J. J. McLaurin		100 00
John W. Sullivan, attorney for J. J. McLaurin		100 00
J. J. McLaurin, witness fees		145 00
J. Harrington, Justice fees		86 10
W. H. Dwyer, Justice fees		86 10
M. V. Collins, reporter's fees		227 80
Edward Haley, serving subpœnas		7 50
T. W. Measure, watchman		36 65
Henry A. Pfister, County Clerk		65 60
A. Searles, tally clerk, one day		5 00
S. F. Smith, four days, tally clerk		20 00
J. H. Jordan, five days, tally clerk		25 00
W. C. Randolph, calling ballots, five days		25 00
P. Desmond, stringing ballots, five days		25 00

A. A. Friedlander, Sergeant-at-Arms to committee:

January 25, 1897, one day	$5 00	
February 4, 1897, one day	5 00	
February 5, 1897, one day	5 00	
February 16th to 20th, inclusive	25 00	
		40 00

And herewith offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrants, and the Treasurer is instructed to pay the same, in favor of the parties named, and whose claims are approved in the above report, for the several amounts set opposite their respective names

KENYON, Chairman.

SPECIAL ORDER RESET.

Mr. Kelsey moved that Senate Concurrent Resolution No. 7 be made special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

MESSAGES FROM THE SENATE.

Mr. Caminetti moved that the House do now take up Senate messages.

So ordered.

SENATE CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 101—An Act to provide for the purchase of land, the purchase of machinery, the construction of a dam, and other improvements, by the Trustees of the Napa State Asylum for the Insane, and appropriating money therefor

Also: Senate Bill No 614—An Act making an appropriation for the erection of a ward building for the Southern California State Asylum for the Insane and Inebriates

Also: Senate Bill No. 692—An Act making an appropriation for furnishing a ward building for the Southern California State Asylum for the Insane and Inebriates.

Also: Senate Bill No 4—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, and State of California, and to make an appropriation therefor.

Also: Senate Bill No. 119—An Act to appropriate $110,000 for the erection of an administration building for the use and occupancy of the officers, employés, and patients of the Mendocino Asylum; to purchase furniture and furnish same.

Also: Senate Bill No 118—An Act to appropriate $20,000 to furnish an additional water supply to the Mendocino Asylum; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to construct a building for said electric plant, to construct a dam; to purchase an ice plant and cold-storage system for said asylum; to appropriate money therefor, and provide for the expenditure of the same

Also: Senate Bill No. 291—An Act to provide for reseating the hall in the State Normal School building at San José, and for the building of a gymnasium for the said State Normal School, and to provide an appropriation therefor.

Also; Senate Bill No. 521—An Act to provide for additional improvements at the State Insane Asylum located at Agnews, in the County of Santa Clara, State of California, and to make an appropriation therefor

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Senate Bill No. 101—An Act to provide for the purchase of land, the purchase of machinery, the construction of a dam, and other improvements, by the Trustees of the Napa State Asylum for the Insane, and appropriating money therefor.

Read first time, and placed on Senate special file for second reading.

Senate Bill No. 614—An Act making an appropriation for the erection of a ward building for the Southern California State Asylum for the Insane and Inebriates.

Read first time, and placed on Senate special file for second reading.

Senate Bill No. 692—An Act making an appropriation for furnishing a ward building for the Southern California State Asylum for the Insane and Inebriates.

Read first time, and placed on Senate special file for second reading.

Senate Bill No. 4—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, and State of California, and to make an appropriation therefor.

Read first time, and placed on Senate special file for second reading.

Senate Bill No. 119—An Act to appropriate $110,000 for the erection of an administration building for the use and occupancy of the officers, employés, and patients of the Mendocino Asylum; to purchase furniture and furnish the same.

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

Senate Bill No. 118—An Act to appropriate $20,000 to furnish an additional water supply to the Mendocino Asylum; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to construct a building for said electric plant; to construct a dam; to purchase an ice plant and cold-storage system for said asylum; to appropriate money therefor and provide for the expenditure of the same.

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

Senate Bill No. 291—An Act to provide for reseating the hall in the State Normal School building at San José, and for the building of a gymnasium for the said State Normal School, and to provide an appropriation therefor.

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

Senate Bill No. 521—An Act to provide for additional improvements at the State Insane Asylum located at Agnews, in the County of Santa Clara, State of California, and to make an appropriation therefor.

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

ADJOURNMENT.

At eleven o'clock and twenty-five minutes P. M., on motion of Mr. Melick, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 2. 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, McCandlish, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Friday, February 26th, was approved as corrected.

EXCUSED FOR ABSENCE.

Messrs. Stansell and Goodhue were excused for absence at yesterday's roll call.

LEAVE OF ABSENCE.

Messrs. Fontana and Waymire were granted leave of absence for Tuesday and Wednesday.

SPECIAL ORDER.

SENATE CONCURRENT RESOLUTION No. 7,

Approving the charter of the City of San José, a municipal corporation, in the County of Santa Clara, State of California, voted for and ratified by the qualified voters of said city, at a special election held therein for that purpose, on the 23d day of February, 1897

WHEREAS, The City of San José, a municipal corporation, in the County of Santa Clara, State of California, is now and was at all the times herein referred to a city containing a population of more than three thousand and five hundred inhabitants, and not more than thirty thousand inhabitants; and whereas, at a special municipal election, duly held in said city on Monday, November second, eighteen hundred and ninety-six, in accordance with law and the provisions of section eight of article eleven of the Constitution of said State, a board of fifteen freeholders, duly qualified, was elected in and by said city, and by the qualified electors thereof, to prepare and propose a charter for said city; and whereas, the same was on January second, eighteen hundred and ninety-seven, signed in duplicate by all the members of said board of fifteen freeholders, and was, on said last-named day, returned, one copy thereof to the Mayor of said city, and the other to the County Recorder of Santa Clara County, and whereas, such proposed charter was then published in three daily newspapers of general circulation in said City of San José, to wit: "San José Daily Mercury," "San José Daily Herald," and "The Evening News," for more than twenty days, such publication in each

instance having commenced on said January second, eighteen hundred and ninety-seven; and whereas, said charter was, within not less than thirty days after the completion of said publication, submitted by the legislative authority of said City of San José, to wit, the Mayor and Common Council thereof, to the qualified electors of said city, at a special election previously duly called and thereafter held therein, on February 23, 1897, and whereas, the returns of said election were duly canvassed by said Mayor and Common Council of said City of San José, at a meeting held on Wednesday, February 24, 1897 (which said meeting was duly convened); and whereas, at said special election a majority of such qualified electors of said city, voting at such special election, did vote in favor of and ratify said charter so proposed; and whereas, said Mayor and Common Council, after canvassing said returns, duly found and declared that a majority of such qualified electors voting at said special election had voted for and ratified said charter; and whereas, the same is now submitted to the Legislature of the State of California for its approval or rejection as a whole, without power of alteration or amendment, in accordance with the provisions of section eight of article eleven of the Constitution of said State; and whereas, the said charter so ratified is in the words and figures following, to wit:

CHARTER OF THE CITY OF SAN JOSE,

PREPARED BY A BOARD OF FIFTEEN FREEHOLDERS, DECEMBER, 1896

ARTICLE I

BOUNDARIES, RIGHTS, AND LIABILITIES

SECTION 1. The municipal corporation now existing, known as the City of San José, shall remain and continue a body politic and corporate in name and in fact by the name of the City of San José; by that name shall have perpetual succession; may sue and defend in all courts and places, and in all matters and proceedings whatever. It may have and use a common seal and alter it at pleasure; may purchase, receive, and hold real and personal property within and without the city limits; may sell and dispose of the same for the common benefit; receive bequests and donations of all kinds of property in trust for charitable or other purposes, and do all acts necessary to carry out the purposes of such bequests and donations, with power to manage, sell, or otherwise dispose of the same, in accordance with the terms of the bequest or donation.

SEC. 2. The boundaries of the City of San José shall be as follows: Beginning at a point in the center line of Second Street prolonged southerly, distant 1½ miles southerly from the point of intersection of said center line of Second Street with the center line of San Fernando Street, and running thence northeasterly and parallel to San Fernando Street to a point in the center line of the channel of the Coyote River, distant 603 feet easterly from the point of intersection of said last-described line with the east line of the Senter Road, thence northwesterly and along the center line of said Coyote River channel to its point of intersection with the center line of Rosa Street prolonged northeasterly, said point of intersection being 2,125 feet northeasterly from the underground redwood city monument set at the intersection of the center line of Rosa Street with the center line of Sixteenth Street, thence southwesterly along said center line of Rosa Street and its prolongations to a point distant 660 feet southwesterly from the original west bank of the Guadalupe River, from which point an underground city monument set at the point of intersection of the center line of Spring Street with the western city limits bears south 32 degrees and 16 minutes east, 396 00 feet; thence southwesterly in a straight line to a point in the center line of San Fernando Street, distant 660 feet southwesterly from the point of intersection of said center line of San Fernando Street with the original west bank of the Guadalupe River, said point being also distant 231.61 feet southwesterly from the underground granite monument set at the intersection of said center line of San Fernando Street with the center line of Delmas Avenue, thence southeasterly and parallel to Second Street 1½ miles, and thence at right angles northeasterly and parallel to San Fernando Street to the point of beginning.

The jurisdiction of said city shall extend to and embrace all that parcel of land known as the City Reservation, or Alum Rock Park, and that other parcel of land as now inclosed for a public cemetery and known and designated as Oak Hill Cemetery, including that portion of said cemetery owned by the corporation known as the Oak Hill Improvement Company.

SEC. 3. The city shall be divided into four wards, bounded as follows:

That portion of the city bounded on the northwest by the northern boundary line of said city, on the northeast by the center line of First Street, on the southeast by the center line of Santa Clara Street and the continuation of said center line of Santa Clara Street, along the center line of the Alameda road to the western boundary of said city, and on the southwest by the southwestern boundary of said city, shall be and constitute the first ward.

That portion of the city bounded on the northwest by the northern boundary line of said city, on the northeast by the center line of the Coyote River, on the southeast by

the center line of Santa Clara Street, and on the southwest by the center line of First Street, shall be and constitute the second ward

That portion of the city bounded on the northwest by the center line of Santa Clara Street, on the east and northeast by the center line of the Coyote River, on the southeast by the southeastern boundary line of said city, and on the southwest by the center line of First Street, shall be and constitute the third ward

That portion of the city bounded on the northwest by the center line of Santa Clara Street and the continuation of said Santa Clara Street along the center line of the Alameda road, on the northeast by the center line of First Street, on the southeast by the southeastern boundary line of said city, and on the southwest by the southwestern boundary line of said city, shall be and constitute the fourth ward.

ARTICLE II.

ELECTIONS AND OFFICERS.

Chapter I—Elections.

SECTION 1 The provisions of all general laws governing elections for State and county officers not inconsistent with the provisions of this charter are hereby adopted as the law governing city elections, and the Mayor and Common Council and the City Clerk respectively shall exercise the powers and perform the duties conferred or imposed by law on Boards of Supervisors and County Clerks concerning elections

SEC 2 The Mayor and Common Council shall prepare and submit to the qualified electors of the city for adoption, at a general or special election, a proposition embodied in an ordinance regulating primary elections within the city to choose delegates to city conventions held to nominate candidates for city offices, and until such proposition embodied in an ordinance has been adopted by a majority of the qualified voters voting at such election, a candidate for an office to be filled at a city election can be nominated only in the manner provided in Section 1188 of the Political Code

SEC 3. The City Clerk shall not file, or cause to be printed in the official ballots to be used at the polls, any nomination made otherwise than as provided in said section of the Political Code, until a proposition formulated by an ordinance governing primary elections within the city is adopted by vote of the qualified electors

SEC. 4 The Mayor and Common Council shall provide for holding all city elections The boundaries of the precincts shall remain as fixed for the election for State and county officers at the last general election preceding a city election, unless changed by ordinance of the Mayor and Common Council. Each inspector, judge, and clerk of election shall receive three dollars for his services.

The election returns from each precinct shall be filed with the City Clerk, who shall immediately place the same in the vaults of the City Clerk's office, and no person shall be permitted to handle, inspect, examine, or in any manner interfere with the same until canvassed by the Common Council.

On the second day after a city election the Mayor and Common Council shall canvass said returns and declare the result. If two persons receive an equal number of votes for the same office, except the office of Mayor, the Common Council shall, by ordinance, select one of such persons to fill the office until the next general city election.

SEC. 5. After the result of an election is declared, or when an appointment is made, the City Clerk, under his hand and official seal, shall issue a certificate thereof and serve the same by depositing it with postage prepaid in the post office, addressed to the person elected or appointed; and within ten days thereafter, if the office be accepted, such person shall file the certificate with the oath of office attached, in the office of the City Clerk When an official bond is required it shall be approved and filed within twenty days after the certificate of election is issued

SEC 6. The first election for city officers under this charter shall be held on the second Monday in April, 1898. The officers elected at that time shall take office immediately, and, except the members of the Common Council, shall hold until July, 1900. All charter elections, subsequent to the first, shall be held biennially on the third Monday in May, and the officers elected shall take office on the first Monday in July following their election; and except members of the Common Council, shall hold for two years and until their successors are elected and qualified. If this charter shall not be approved by the Legislature at its thirty-second session, the first election shall be held on the second Monday in April, 1899, and the officers elected shall take office immediately, and except members of the Common Council, shall hold until July, 1901 All general municipal elections, subsequent to the first, shall be held biennially on the third Monday in May, and the officers elected shall take office on the first Monday of July following their election, and, except members of the Common Council, shall hold for two years and until their successors are elected and qualified.

SEC. 7 The approval of this charter by the Legislature at its thirty-second session shall not work a vacancy in office, but all persons who, at the time of such approval, hold any city office which by this charter is made elective, shall continue to hold until the end of the term for which they were elected

From and including the second Monday in April, 1897, to the second Monday in April, 1898, and until their successors are elected or appointed and qualified, the four School Trustees and the four Councilmen whose term of office would expire in April, 1898, shall constitute the Board of Education and the Common Council, respectively

SEC. 8. On the second Monday in April, 1897, the Mayor, with the consent of the Common Council, shall appoint a City Clerk, who shall be ex officio Assessor, four Trustees of the Free Public Library, and one member of the Board of Health, to hold office for one year, and until their successors are elected or appointed and qualified.

SEC 9 At the first election for city officers held under the provisions of this charter, and biennially thereafter at the general municipal elections, there shall be elected a Mayor, Treasurer, City Clerk, and five Councilmen. The Mayor, Treasurer, and City Clerk shall hold for a term of two years; but the same person shall not be eligible for election as Mayor for more than two consecutive terms

Of the Councilmen, four shall be elected for the wards—that is, one for each ward—and one at large. The nominations of Councilmen for wards shall be made by the respective wards, and the person nominated shall be a resident of the ward for which he is chosen Nominations for Councilmen at large shall be from the city at large. The certificates of nomination shall show whether the person is nominated at large or by ward, and in the latter case the name of the ward for which he stands. The official ballots shall be made to correspond. All candidates for Councilmen, whether at large or from the wards, shall be voted for by the electors of the entire city without respect to wards, and the nominee in each ward having the highest number of votes shall be declared the Councilman-elect from that ward

The members of the Common Council chosen at the general municipal election in 1898, if prior to that time this charter shall have been approved by the Legislature, shall so classify themselves by lot that three of them shall hold from the date of their election and qualification to the first Monday in July, 1902, and two of them from the date of their election and qualification to the first Monday in July, 1900. If the first general municipal election be not held until April, 1898, the Councilmen elected shall so classify themselves that three of them shall hold from the date of their election and qualification to the first Monday in July, 1903, and two of them from the date of their election and qualification to the first Monday in July, 1901.

At each election after the first general municipal election, Councilmen shall be elected to succeed those whose terms are about to expire, and they shall hold office for four years.

SEC. 10 At the first municipal election after this charter has been approved by the Legislature, there shall be elected fourteen qualified electors of the city, who, with the Mayor-elect, shall constitute an Appointing Board, to appoint the first members of the following boards of city officers, to wit: a Board of Health, Board of Education, Board of Free Public Library Trustees, Board of Park Commissioners, and Board of Police and Fire Commissioners

Within ten days after the notice of their election the members of the Appointing Board shall file their certificates of election with the oath of office attached in the office of the City Clerk, and shall, within ten days after their qualification, at the call of said Mayor, stating the time and place, assemble and appoint the said several boards of city officers. At least eight affirmative votes shall be required for an appointment.

Each board appointed shall consist of five members. The City Clerk shall be ex officio secretary of said Appointing Board, and keep a journal of its proceedings, which said journal shall be filed in the office of the City Clerk when said board finally adjourns

The persons so appointed shall take office on the first Monday of July succeeding their appointment and shall become the legal members of said boards to which they were appointed, with all the powers and duties conferred or imposed by law or ordinance on such boards respectively.

When all appointments have been made, and the appointees have qualified, the Appointing Board shall become *functus officio*. The members of the respective boards above enumerated shall so classify themselves by lot that the terms of office of the members shall expire in the manner following, that is to say: one member of the Board of Free Public Library Trustees shall go out of office at the end of the first year, one at the end of the second, one at the end of the third, and two at the end of the fourth year from the date on which they took office

Of the Board of Education, two members shall go out of office at the end of the first year, one at the end of the second, one at the end of the third, and one at the end of the fourth year from the date on which they took office; of the Board of Police and Fire Commissioners, one member shall go out of office at the end of the first year, two at the end of the second, one at the end of the third, and one at the end of the fourth year from the date on which they took office; of the Board of Park Commissioners, one member shall go out of office at the end of the first year, one at the end of the second, two at the end of the third, and one at the end of the fourth year from the date on which they took office; of the Board of Health, one member shall go out of office at the end of the first year, one at the end of the second, one at the end of the third, and two at the end of the fourth year from the date on which they took office.

All appointees to said boards, subsequent to those made by the Appointing Board, shall hold for a term of four years

As the terms of the members of the several boards shall expire, the Mayor shall fill the vacancies by appointment, and the appointees shall hold for four years.

SEC 11 An office becomes vacant when the incumbent thereof dies, resigns, is adjudged insane, convicted of felony, or of an offense involving a violation of official duty, or is removed from office or ceases to be a resident of the city, or neglects to qualify by taking the oath of office and filing his official bond within the time prescribed by law or this charter, or shall absent himself from the city for more than fifteen days

consecutively, without leave of the proper authority. The Mayor and Common Council shall not grant a leave of absence for a period longer than sixty days, in any case, except for the purpose of transacting official business.

A vacancy in any appointive office shall be filled for the unexpired term, by the board or officer having power under this charter to fill the office by appointment, at the end of the term in which the vacancy occurs.

Chapter II—Bonds and Salaries.

SECTION 1. Officers of the city, before entering upon the discharge of their official duties, and within twenty days after notice of their election or appointment, shall execute to said city such official bonds as may be required by law, ordinance, or this charter. When the amount of any bond is not fixed by law, ordinance, or this charter, and power to fix the same is not herein conferred upon any board or officer, it shall be fixed by ordinance. All bonds shall be approved by the Mayor and filed with the Clerk, and shall be recorded by the City Clerk in a book entitled "Official Bonds," and kept for that purpose, except the bond of the City Clerk, which shall be filed with the Mayor after being so recorded. The approval of every official bond must be indorsed thereon and signed by the officer approving the same, after the examination of the sureties as hereinafter provided.

SEC. 2. The following officers shall respectively execute to the City of San José official bonds, with sureties, in the following sums, viz.:

Mayor	$5,000 00
Treasurer and Collector	50,000 00
Clerk	5,000 00
Councilmen, each	2,500 00
Chief of Police	5,000 00
City Engineer	5,000 00
Superintendent of Streets	5,000 00
Superintendent of Schools	2,500 00
City Attorney	1,000 00
Chief Engineer of Fire Department	1,000 00

SEC 3. City officers shall not be accepted as surety for each other on official bonds. Every bond shall be made payable to the City of San José and contain a condition that the principal will faithfully perform all official duties then or that may thereafter be imposed upon or required of him, and that at the expiration of his term of office he will surrender to his successor all property, books, papers, and documents that may come into his possession as such officer. Said bond must be executed by two or more sureties, but when the amount of the bond is more than five thousand dollars the sureties may become severally liable for portions of not less than twenty-five hundred dollars, when there are more than two sureties, said sureties may justify in an amount which, in the aggregate, shall equal double the amount of said bond. The Mayor and Common Council may require the Treasurer to give a surety-company bond, in which case the expense of such bond shall be borne by the city.

SEC. 4 Every surety upon an official bond must justify in the manner prescribed by the Political Code of this State for official bonds.

SEC. 5. When an official bond is required of an officer the Mayor and Common Council may require an additional bond if, in their opinion, the original bond or any surety thereto becomes insufficient. If such additional bond be not given forthwith, the Mayor and Common Council must declare the office vacant, and thereupon it shall become vacant

SEC 6 The officers hereinafter named shall receive the following annual salaries:

Mayor	$2,000 00
Councilmen, each	300 00
Treasurer and Collector	1,500 00
Clerk	1,500 00
City Attorney	1,500 00
Chief of Police	1,500 00
City Engineer	1,800 00
Street Superintendent	1,200 00
Health Officer	300 00

Salaries of all officers shall be payable monthly.

ARTICLE III.

LEGISLATIVE DEPARTMENT.

Chapter I—The Common Council.

SECTION 1 The legislative power of the city is hereby vested in a Common Council consisting of five members, three of whom shall constitute a quorum; but a less number may adjourn from time to time or compel the attendance of other members. No order, except to adjourn for lack of a quorum or to compel the attendance of a quorum, and no ordinance or resolution, shall be valid unless it receive the affirmative votes of three Councilmen

SEC 2 Ordinances and resolutions are the formal acts of the Council reduced to writing and passed under legal restrictions governing action thereon; orders embrace all other acts which, being less formal in character, require only to be duly passed by the Common Council and spread upon the minutes No order, resolution, or ordinance shall have effect without the approval of the Mayor. In the case of orders the approval of the Mayor shall be presumed, unless at the same meeting at which the order was passed the Mayor causes his disapproval, with his reasons therefor, to be spread upon the minutes. All resolutions and ordinances after passage must be submitted to the Mayor, who shall, within five days after he has received the same, indorse his approval or disapproval thereon, giving the reasons for his disapproval No ordinance or resolution shall be placed upon its final passage in the Council upon the same day that it has been introduced and read in full the first time; and every ordinance to be valid must be passed by a vote of not less than three Councilmen and approved by the Mayor; *provided*, that if the Mayor fail to approve the same, it may be passed by a vote of not less than four Councilmen, and shall then take effect as if approved by the Mayor

SEC 3. The style or enacting clause of all ordinances shall be: "Be it ordained by the Mayor and Common Council of the City of San José, as follows:"

SEC 4 The Common Council shall have power to adopt rules for its own proceedings; to compel the attendance of witnesses and the production of papers in any matter under investigation; to judge of the qualifications and election of its own members; to punish any member or other city officer by a fine not exceeding fifty dollars for disorderly or contemptuous behavior in its presence, and may expel a member or any city officer for continued neglect of his duties or the willful violation of any penal law or any provision of this charter; but in every case the member or officer accused, if holding office for a definite term, shall be entitled to have written charges preferred and be heard in his own behalf.

The ayes and noes shall be taken and entered in the journal of its proceedings at the request of any member, and must be so taken and entered upon the passage of all ordinances and resolutions, and in matters concerning the granting of franchises, making of contracts, allowing bills, ordering work to be done, or supplies to be furnished, disposing of city property, or any act that may involve the payment of money or the incurring of a debt against the city.

SEC 5. All meetings of the Common Council shall be public, and the regular meetings shall be held on each Monday in the month, unless that day be a legal holiday, when the meetings shall be held on the following day Adjournments may be taken from a meeting to a day certain, and in such case the adjourned meeting shall be deemed a continuance of the session

SEC. 6 The Mayor shall preside at all meetings of the Common Council, but shall not be entitled to vote. In the absence of the Mayor from a meeting, the Common Council may choose one of their own number to preside, who shall retain the right to vote upon all questions under consideration, and shall have the same power to disapprove any order made by the Common Coucil, and with like effect, as the Mayor would have had if present at the meeting

In case of vacancy or if by reason of absence from the city, or sickness, or from any other cause, the Mayor is unable to perform the duties of the office, the Common Council shall appoint one of their own number Mayor pro tem., who shall have all powers and authority which the Mayor would have possessed if personally present and attending to such duties, but such Mayor pro tem. shall not lose his vote as Councilman.

Chapter II—Subjects of Legislation.

SECTION 1. The Mayor and Common Council shall have power:

First—To make and enforce all such local, police, sanitary, and other regulations as pertain to municipal affairs, and for this purpose may define misdemeanors committed within the city limits or on lands under jurisdiction of the city, and provide for their punishment, although the offense constituting the misdemeanor be also a violation of the penal laws of the State.

Second—To define nuisances and to provide for their removal.

Third—To impose municipal licenses either for revenue or for regulation.

Fourth—To levy and collect taxes.

Fifth—To maintain a fire department, prescribe fire limits, and regulate for the protection of the city against fire

Sixth—To maintain a police force.

Seventh—To protect the city against overflow

Eighth—To prohibit and suppress gambling and gambling houses, lewdness and houses of ill-fame, and all indecent and immoral amusements and exhibitions

Ninth—To prohibit the storage of gunpowder, oils, or other combustible substances in quantity.

Tenth—To regulate hospitals, pesthouses, and slaughter-houses, and to provide for their removal or discontinuance

Eleventh—To provide cemeteries and regulate their management.

Twelfth—To establish and regulate a public pound.

Thirteenth—To provide a city prison, and require that prisoners undergoing sentence for misdemeanor shall perform such labor as may be prescribed.

Fourteenth—To construct and repair sewers, public buildings, and structures.

Fifteenth—To repair, clean, sprinkle, widen, straighten, and improve streets and sidewalks, and to open and close up streets.

Sixteenth—To impose, collect, and appropriate fines, penalties, and forfeitures for the commission of misdemeanors; but no penalty for the violation of an ordinance shall exceed the sum of one hundred dollars or imprisonment exceeding thirty days. The violation of any lawful order, resolution, or ordinance made by the Mayor and Common Council, or by any board or department of the city, shall constitute a misdemeanor, and shall be prosecuted in the name of the people of the State of California.

Seventeenth—To grant franchises; but there must be exacted for each franchise granted a certified check in an amount to be determined by the Common Council, to be forfeited to the city upon the failure to begin and finish the work required by the franchise.

Eighteenth—To maintain public schools and free public libraries.

Nineteenth—To sell or otherwise dispose of any or all the property of the city; *provided*, that none of said property shall be mortgaged or hypothecated for any purpose. No park or reservation shall be sold or leased, except a portion of the city reservation, or Alum Rock Park, may be leased for hotel purposes only, not exceeding two and one half acres, for a term of not more than twenty-five years, but no such lease shall in any manner restrict or interfere with the free use of the waters and grounds of the park by the public. The lessee shall be required by the terms of the lease to erect hotel buildings at a cost of not less than twenty-five thousand dollars. Said lease shall further provide that the premises leased and the business conducted thereon shall at all times be subject to such rules and restrictions as may be prescribed by the Park Commissioners. Any violation of the conditions of said lease shall constitute a forfeiture thereof, and the Mayor and Common Council shall enforce such forfeiture by proper proceedings.

Twentieth—To prescribe by ordinance the duties of all officers whose duties are not defined by this charter, and to prescribe, for any officer, duties other than those herein prescribed.

Twenty-first—To pass all orders, resolutions, and ordinances necessary or proper to a complete execution of the powers vested by law or inherent in the municipality.

ARTICLE IV.

REVENUE.

SECTION 1. On or before the last Monday in July in each year the City Clerk shall transmit to the Mayor and Common Council, accompanied with the estimates and reports of each department, an estimate of the probable necessities of the city government for the fiscal year, stating the amount required to meet the interest and principal on all bonded or funded indebtedness of the city, together with the amount needed for the salaries and probable wants of all the departments of the municipal government in detail, showing specifically the necessities of each fund in the treasury. Such estimate shall also show what amount of income and revenue will probably be collected from fines, licenses, and other sources of revenue, exclusive of taxes upon property, and what amount will probably be required to be levied and raised by taxation in order to meet the necessities of each specific fund for such fiscal year.

SEC. 2. The Mayor and Common Council shall have full power and authority to assess and levy and collect taxes upon all taxable property in the city; *provided*, the maximum rate of taxation shall not exceed in any one year $1 upon each $100 valuation of property assessed, exclusive of the amount necessary to pay the principal and interest on the bonded indebtedness of the city.

SEC. 3. The Mayor and Common Council on or before the first Monday of February, 1898, and annually thereafter while any valid law exists for the assessment and collection of city taxes by officers of the County of Santa Clara, shall pass an ordinance electing to avail the City of San José of the provisions 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 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 service so rendered to such municipal corporations," approved March 27, 1895, and shall cause a certified copy of such ordinance to be filed with the Auditor of said County of Santa Clara. If said Act shall be amended, or some other law be substituted in its stead, providing for the assessment and collection of city taxes by county officers, the Mayor and Common Council shall conform to the provisions of such amended Act or such law, in order to avail the city of the privilege of having its taxes assessed and collected by such county officers.

Until an ordinance shall be passed as aforesaid to avail the city of the privilege of having its taxes assessed and collected by the officers of said county, the City Clerk shall be ex officio Assessor; the City Treasurer in office when this charter is adopted shall be ex officio Tax Collector until the expiration of his term for which he was elected; they shall perform respectively the duties and have all the powers prescribed by law or ordinance for Assessors and Tax Collectors. While the city avails itself of the privilege of having its taxes assessed and collected by the county officers, the offices

of City Assessor and City Tax Collector shall be abolished, but may be restored by ordinance when it becomes necessary or expedient so to do.

The taxes so levied and collected shall be apportioned by the Treasurer to the several specific funds.

SEC. 4. Subject to the provisions of Section 3 of this article, the Mayor and Common Council shall have power, and it is hereby made their duty, to provide by ordinances for the levying and collecting of all city taxes, and in so doing shall be governed by the State laws in reference to the levying and collecting of State and county taxes, as far as applicable, and all sales and conveyances of property made and executed for the non-payment of delinquent taxes shall have the same force and effect as when made and executed for the non-payment of delinquent taxes levied for State and county purposes. Said taxes so levied shall be a lien against the property assessed, and said lien shall attach as of the first Monday of March, at 12 M of each year

SEC 5 Whenever the Mayor and Common Council shall, by ordinance, determine that the public interest or necessity demands the acquisition, construction, or completion of any municipal improvement, the cost of which would be too great to be paid out of the ordinary annual income and revenue of the city, the Mayor and Common Council is hereby given the power and authority to call a special election and submit to the qualified voters of the city the proposition of incurring indebtedness to pay the cost of such improvement set forth in said ordinance. If said proposition be accepted by a two-thirds vote of the qualified electors voting at such election, the Mayor and Common Council may issue bonds of said city in evidence of said indebtedness; *provided*, that such indebtedness, together with the unpaid and outstanding bonded indebtedness actually existing at the time such proposition is submitted to said voters, shall not exceed five hundred thousand dollars.

ARTICLE V.

FINANCE.

Chapter I—Limit to Expenditure.

SECTION 1 It shall not be lawful for the Common Council, or any department of the city government having power to incur, authorize, or contract liabilities against the treasury, to incur, authorize, or contract any expenditure or demand against any of the specific funds in the treasury which, taken with all other expenditures, indebtedness, or liability made or incurred up to the time in the quarter of making or incurring the same, shall exceed one-fourth part of the money provided for such expenditure, indebtedness, or liability (actually collected and paid into the treasury) as and for the income and revenue for the fiscal year in which such liability, expense, or demand is incurred, and apportioned to the specific fund to be charged therewith

SEC 2. If at the end of any quarter any money remains unexpended in any of the specific funds, and which might lawfully have been expended during such quarter, such unexpended sum or sums, except so much thereof as may be requisite to pay all unpaid claims upon such specific fund that are outstanding, shall be carried forward in the same specific fund and expended by order of the Common Council, or of the department having the fund in charge, in any succeeding quarter of the same fiscal year, but not afterwards, except in payment of claims lawfully incurred during such fiscal year

SEC 3 All contracts, appropriations, allowances, payments, or liabilities to pay made in violation of the provisions of this chapter shall be absolutely void, and shall never be the foundation or basis of a claim against the treasury. All members of the Common Council and of each board and department of the city government are charged with notice of the condition of the treasury, and of the extent of the demand against the same, and any member violating the provisions of this chapter shall forfeit the office which he holds, unless he was not present when such liability was incurred, or if present, caused his dissent therefrom to be entered on the minutes at the time

SEC 4. In case of great calamity, casualty, or other unforeseen occurrence, by which the enforcement of the provisions of this chapter would be detrimental to the public interests, the Common Council, or any board or department of the city, by unanimous vote of the members constituting the Common Council or such board or department may, by resolution, specifying the reasons, suspend the operation of the provisions of this chapter for a period not exceeding three months; but such resolution shall have no effect unless the Mayor indorse his approval thereon.

SEC. 5. The operation of the provisions of this chapter requiring the revenue for the fiscal year to be actually paid into the treasury before any expenditure can be made or liability incurred against any specific fund shall be suspended if, at the beginning of the first fiscal year after the adoption of this charter, there shall not be sufficient money in said several funds, added to what would be available from other sources, to meet all legal demands against the treasury for the first five months of said fiscal year In such case the Mayor and Common Council shall create a fund to be known as the cash-basis fund, for the purpose of putting the payment of the running expenses of the city government upon a cash basis, and to be used for no other purpose, and annually thereafter, until the purpose for which said fund was created has been accomplished, shall, at the time of levying other city taxes, levy not less than five cents on the one hundred dollars assessed valuation of property for such fund. This tax of five cents shall be within the one-dollar limit fixed by this charter in Section 2 of the article on revenue.

The money thus collected shall be allowed to accumulate in said fund until it shall be sufficient, together with the money already in said specific funds, to meet all legal demands against such funds for the first five months of the next succeeding fiscal year. At the beginning of said fiscal year the Mayor and Common Council shall direct the Treasurer to apportion, and the Treasurer shall apportion, the money in said fund to the several specific funds in like manner as other moneys are apportioned. When the money in said fund is so apportioned, said cash-basis fund shall be abolished, no further levy as provided in this section shall be made, and the said suspended provisions of this chapter shall thereafter become and continue in full force and effect.

Chapter II—Payment of Claims.

SECTION 1. Every claim and demand against the city, except bonds, coupons for interest, claims payable from the school fund, or from funds not controlled by the Mayor and Common Council, shall be verified and filed with the City Clerk, specifying in detail the goods furnished, the service performed, or other basis of the claim, and by what authority the goods were furnished or the service performed, giving date of the same, and the amount of the claim.

SEC. 2 After allowance by the Common Council, the City Clerk shall present such claim or demand to the Mayor, who, within five days thereafter, shall indorse thereon or annex thereto his approval or disapproval, and return it to the City Clerk. The Mayor may approve a claim in part, but where a claim is disapproved, in whole or in part, the reasons of the Mayor must be given in full The Common Council, by the affirmative votes of four of its members, may allow a claim or such portion of a claim as the Mayor has disapproved, but not otherwise.

SEC. 3. Upon the allowance of any claim a warrant shall be drawn on the City Treasurer in favor of the person to whom the allowance was made, specifying for what the warrant is drawn, the fund out of which it is to be paid, and that it can be paid only from the money actually collected and in the fund. The warrant shall be signed by the Mayor and countersigned by the City Clerk.

SEC 4. Every claim against funds in the city treasury which may have been incurred or authorized by the Board of Education, the Board of Police and Fire Commissioners, the Board of Health, the Board of Park Commissioners, or the Trustees of the Free Public Library, shall be verified and presented to the board incurring or authorizing the indebtedness, who shall approve or disapprove the claim It shall require at least three members voting in the affirmative to approve any claim. The president and secretary of the board or commission must certify the fact of such allowance, together with the amount allowed, the date of allowance, the name of the person or persons to whom the allowance is made, and the nature of the claim, to the City Clerk, who shall present the same to the Mayor for his approval, and upon its being approved, the City Clerk shall draw a warrant on the City Treasurer on the proper fund in payment of the same, which warrant must be signed by the Mayor and countersigned by the City Clerk. If the Mayor, within five days after presentation to him of the certificate of allowance as aforesaid refuses to approve all or any portion of the claim so certified, or any item of a claim allowed, he must indorse his disapproval on the certificate and briefly give his reasons therefor.

He must also transmit to the board or commission allowing the claim a statement of the fact of his refusal to approve the claim or any portion thereof, and his reasons therefor. The claim or any portion thereof so disapproved can only be passed and ordered paid by the affirmative votes of four members of the board or commission from whom the authority for the claim was derived

SEC. 5. To all claims there shall be attached, before filing, the affidavit of the claimant that the supplies or materials for which the charge is made have been furnished in quantity and quality, according to contract, and that the service has been rendered as ordered.

SEC. 6 No claim for commodities furnished or service performed shall be valid unless, prior to furnishing such commodities or the rendition of the service, authority for the same was given by the Common Council or some department of the city government having authority so to do

No member of the Common Council or member of any department, and no city officer shall have power to create any indebtedness against the city, or to furnish the basis of a claim, without said authority. A violation of this section shall be a misdemeanor

No supplies, materials, or other item of expenditure for an amount exceeding $100, shall be ordered or purchased by the Mayor and Common Council or any board or department of the city authorized to incur any expenditure, except after first advertising for sealed proposals, and awarding a contract to the lowest and best bidder Each proposal must be accompanied by a certified check in an amount not less than ten per cent of the sum bid, which check must be forfeited to the city upon the failure of the person, firm, or corporation bidding to enter into the contract awarded. All contracts awarded by the Mayor and Common Council shall be by ordinance or resolution. A sufficient bond payable to the city, with two or more sureties, shall be required to secure a faithful performance of each contract awarded.

Chapter III—Of the Several Funds.

SECTION 1 The revenue paid into the treasury shall be at once apportioned by the Treasurer and be kept in separate specific funds as hereinafter provided, and it shall

not be lawful to transfer money from one fund to another, or use the same in payment of demands upon another specific fund, except temporarily in payment of the principal or interest of the present bonded indebtedness

SEC. 2. The several interest and sinking funds in the treasury authorized by law at the time this charter takes effect shall continue therein so long as there shall be occasion therefor, and the moneys therein, or which may belong thereto, shall not be used or appropriated for any purpose other than that for which the same were raised.

SEC. 3. There shall be opened by the Treasurer the following specific funds, to wit: School Fund, Police Fund, Street Light Fund, Street Contingent Fund, Sewer Fund, Fire Department Fund, Health Department Fund, Park Improvement Fund, Library Fund, and General Fund.

The Mayor and Common Council, at the time of making the annual tax levy, shall levy for each of said specific funds an amount sufficient to meet the necessary expenditures therefrom Said funds shall consist of moneys so levied and of such other moneys as may properly be apportioned thereto. In addition there shall be apportioned to the school fund all moneys arising from the sale, rent, or exchange of school property. The amount of money levied for grammar and primary schools shall be paid by the City Collector into the county treasury to the credit of the city school fund; to the park improvement fund all moneys accruing from rents of grounds, permits in the park, from public property under the control of the Park Commissioners, from the sale of articles from said parks, and moneys coming into said fund by donation or bequest; to the library fund all moneys accruing to said fund by donation or bequest; to the general fund, the moneys paid for fines or fees, for licenses, and all other moneys not directed to be paid into any other specific fund.

SEC. 4. Out of the school fund shall be paid all sums necessary for the purchase, rent, and improvement of school sites; for the rent, furnishing, construction, alteration, and repair of school buildings; for the discharge of incumbrances on school property, for the salaries and wages of teachers, officers, and employés connected with or employed in the school department, for supplying the schools with lights, fuel, water, apparatus, and necessary school appliances, and for such other expenses of the school department as are necessary for the maintenance and proper conduct of the schools of the city.

SEC. 5. Out of the police fund shall be paid the salaries of the regular police force and all sums necessary for providing police stations, implements, and appliances, and such amount of money for the contingent expenses of the police department as the Board of Commissioners deem necessary

SEC. 6. Out of the street light fund shall be paid all sums authorized to be paid for lighting the streets and such public buildings, offices, and institutions as are not specially provided to be maintained out of some other specific fund

SEC. 7. Out of the street fund shall be paid all sums authorized to be paid for repairing and improving streets, which shall have been accepted so as to become a charge upon said city; for cleaning streets, crossings, and sewers; for street sprinkling; for all street work in front of or assessable upon property owned by said city or any department thereof, or by the Government of the United States, for all repairs upon the public streets deemed of urgent necessity; for all work authorized by the Mayor and Common Council which may be necessary for public health, or which cannot be assessed upon private property; and for all other expenditures on the streets and highways deemed necessary by the Mayor and Common Council and authorized by any provision of this charter.

SEC. 8. Out of the sewer fund shall be paid all sums authorized to be paid for the construction and repair of such sewers or system of drainage as may be ordered by the Mayor and Common Council, and which is not chargeable upon private property.

SEC. 9. Out of the fire department fund shall be paid the salaries and wages of all officers, members, and employés of the fire department, the salaries and wages of the officers, members, and employés of the fire alarm and police telegraph service, and the salary of the secretary of the Board of Police and Fire Commissioners; all sums authorized to be paid for the purchase of all apparatus, appliances, and things of every nature and description necessary for the extinguishment of fires, and for the complete equipment, maintenance, and operation of the department.

SEC. 10 Out of the health department fund shall be paid the salaries of all officers and employés of the Board of Health, and any and all other salaries and expenses incurred in the administration of said health department, and not expressly provided to be paid out of some other fund.

SEC. 11. Out of the park improvement fund shall be paid all sums authorized to be paid for such materials, supplies, tools, machinery, appliances, labor, and service, as well as for seeds, plants, vines, shrubs, trees, animals, and museums, which the Park Commissioners may procure for preserving, improving, and beautifying the public grounds under the control of said commissioners.

SEC. 12. Out of the library fund shall be paid the salaries and wages of officers and employés of the public library and reading-rooms, the purchase of books, journals, and periodicals, and such supplies as may be used in the maintenance of said library and reading-rooms

SEC. 13. Out of the general fund shall be paid all claims not provided to be paid out of any other specific fund.

SEC. 14. If the Mayor and Common Council appropriate money for any other purpose besides those enumerated in this chapter, it shall at once, when paid into the

treasury, be apportioned by the Treasurer and kept in a separate specific fund, which shall receive an appropriate designation, and out of said fund shall be paid only such demands as are properly chargeable thereto within the purposes of such appropriation.

SEC. 15. Any moneys remaining at the end of any fiscal year in any fund shall be carried forward to the same fund for the ensuing fiscal year.

SEC. 16. Any demand against the treasury, or against any fund thereof, remaining unpaid at the end of the fiscal year for lack of money in the treasury applicable to its payment, may be paid out of any money which may subsequently come into the proper fund from delinquent taxes, or other uncollected income or revenue for such year. Such demands shall be paid out of such delinquent revenue, when collected, in the order of their registration.

ARTICLE VI.

EXECUTIVE DEPARTMENT

Mayor.

SECTION 1. The chief executive officer of the city of San José shall be designated the Mayor. He shall be at least thirty years old, a citizen of the State, and a resident and qualified elector of the city for the five years next preceding the day of his election. He shall see that all laws and ordinances within his jurisdiction are strictly enforced. He shall vigilantly observe the official conduct of all public officers, and take notice 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. The books, records, and official papers of all departments, boards, officers, and persons, in the employ or service of the city, shall at all times be open to his inspection and examination. He shall take special care to see that the books and records of said departments, boards, officers, and persons are kept in legal and proper form. Any defalcation, or willful neglect of duty, or official misconduct which he may discover, or which may be reported to him, shall be laid by him before the Common Council, in order that the public interests may be protected, and the person in default be proceeded against according to law. He shall, from time to time, give the Common Council information, in writing, relative to the state of the city, and shall recommend such measures as he may deem beneficial.

He shall have the books and records of all public departments pertaining to the finances of the city experted by a competent person at least once in every year. Any person refusing to submit to or to permit such examination, or purposely delaying or impeding the same, may be suspended from office by the Mayor and removed for malfeasance in office. He shall have a general supervision over all the departments and public institutions of the city, and see that they are honestly, economically, and lawfully conducted.

SEC. 2 He shall take all proper measures for the preservation of public order and suppression of all riots and tumults.

SEC. 3. The Mayor, with the consent of the Common Council, shall appoint all officers and fill all vacancies not otherwise provided for in this charter, and such appointees shall serve for the unexpired term, and they shall possess the qualifications prescribed by this charter for eligibility to their respective offices

SEC. 4. He shall see that all contracts and agreements with the city are faithfully kept and fully performed; and to that end shall cause legal proceedings to be commenced and prosecuted in the name of the city against all persons or corporations failing to fulfill their agreements or contracts either in whole or in part. He shall have the general supervision of all city officers, elected or appointed.

He shall have power to suspend any city officer, except a member of the Common Council, for a dereliction, neglect, or non-performance of duty, and shall immediately, in writing, report the same to the Common Council If the Common Council, after a hearing, approve of the suspension, they shall declare the office vacant, or continue the suspension for such time as they may deem proper, and such vacancy shall be filled by the Mayor, subject to the approval of the Common Council. It shall be the duty of every officer and person in the employ or service of the city, when it comes to his knowledge that any contract or agreement with the city or with any officer or department thereof, or relating to the business of any office, has been or is about to be violated by the other contracting party, forthwith to report to the Mayor all facts and information within his possession concerning such matter, and a willful failure so to do shall be cause for removal of such officer or employé as in the case of malfeasance in office

SEC. 5. The Mayor may, in writing, call special meetings of the Common Council. The call shall state the object of the meeting, and no business other than that stated therein shall be transacted.

City Attorney.

SEC. 6. Immediately after his election and qualification the Mayor, with the consent of the Common Council, shall appoint an attorney for the city, who shall be known as the City Attorney, and shall hold his office for two years, unless sooner removed for cause. The City Attorney shall have been an elector of the city for at least two years before his appointment He shall be duly admitted to practice by the Supreme Court of the State of California, and shall have been actually engaged in the practice of his profession for a period of at least five years next before his appointment. It shall be

his duty to attend to all suits and other matters in which the city may be legally interested; to give his advice or opinion in writing, whenever required in writing by the Mayor, Common Council, any board, or department, or city officer. He shall be the legal adviser of all city officers, he shall draft and approve the form of all official or other bonds given to and all contracts made with the city; he shall draft, when requested by the Mayor or Common Council, or any member thereof, any and all proposed ordinances, resolutions, or orders of the Common Council, and shall do and perform all other things touching his office required of him by the Mayor or Common Council. The City Attorney may be removed from office for cause.

Superintendent of Streets.

SEC. 7. The Mayor, with the consent of the Common Council, shall appoint a Superintendent of Streets, who shall hold office for two years He shall perform the duties prescribed by this charter and such other duties as may be prescribed by law and the Mayor and Common Council The Superintendent of Streets shall have authority, other than as prescribed by the Act mentioned in Section 1, Chapter I, Article VIII of this charter, as follows:

First—To have the general management and supervision of all public streets, under the regulations and directions of the Mayor and Common Council.

Second—To grant permits, under such regulations as the Mayor and Common Council may adopt, for the opening up of any portion of the public streets; for the temporary use of any part of any public street in front of a new building to be erected, or of an old building to be repaired; for the moving of houses, or for any other purpose other than the public use of any street.

Third—To remove, under direction of the Mayor and Common Council, all obstructions in the public streets.

Fourth—To superintend all necessary repairs of public streets not let by contract and ordered done by the Mayor and Common Council, and to make and superintend such other repairs of streets, sewers, drains, or river-banks and channels, as are in their nature an immediate and pressing necessity, and cannot be delayed without great inconvenience or damage to the public and come within the emergency cost limit prescribed by this charter.

Fifth—To have immediate control of the "corporation storeyard."

Sixth—To perform such other services relating to public works as may be made his duty by law or ordinance.

City Clerk.

SEC. 8. The duties of the City Clerk shall be to keep the corporate seal and all books, papers, records, and other documents belonging to his office, to attend all the meetings of the Common Council and keep a journal of its proceedings. He shall have full power and authority to take all affidavits and administer all oaths necessary in the transaction of city business, but shall make no charge therefor. His official books and records shall be kept properly indexed and be open to public inspection during office hours. He shall number and keep a record of all demands allowed and certified to him by the boards and commissions created by this charter, which allowance has been approved by the Mayor, showing the date of approval, to whom the same is allowed, the nature of the claim, and the fund out of which the same is payable. He shall keep a complete set of books for the city, in which shall be set forth, in a plain, business-like manner, every money transaction, so that he can at any time tell the exact condition of the finance of the city. He shall report to the Mayor, monthly, the condition of each fund in the treasury He shall make an annual report showing the sources from which the city's revenues were derived and how expended for the previous fiscal year. He shall issue all licenses and draw and countersign all warrants on the treasury He shall prepare and present to the Mayor and Common Council, on the fourth Monday of July of each year, an estimate of the probable necessities of the city for the fiscal year, and shall do and perform all other acts required of him by this charter, or which may be required of him by the Mayor and Common Council not inconsistent with the duties of his office.

Treasurer and Collector.

SEC. 9. The Treasurer shall be ex officio Tax Collector. He shall collect licenses, and as Tax Collector shall perform the duties prescribed by law and the Mayor and Common Council The Treasurer shall receive and pay out all moneys belonging to the city, and shall keep an account of all receipts and expenditures under such rules and regulations as may be prescribed. He shall make a monthly statement to the Mayor and Common Council of the receipts and expenditures of the preceding month, and shall do all things required of him by law and the Mayor and Common Council. He shall not pay out any moneys belonging to the city, except upon claims presented, allowed, and audited in the manner provided by this charter. He shall not deposit any moneys or public documents in his custody or under his control with any individual, firm, or corporation: but all such moneys and public documents must at all times be kept in the vaults of the city treasury. If he shall violate any of the provisions of this section he shall forfeit his office.

Chief of Police.

SEC. 10. The Chief of Police, for the suppression of any riot, public tumult, disturbance of the public peace, or any organized resistance against the laws or public authori-

ties in the lawful execution of their functions, shall have the powers that are now or may hereafter be conferred upon Sheriffs by the laws of this State; and his lawful orders shall be promptly executed by deputies, police officers, watchmen, and constables in the city, and every citizen shall also lend him aid, when required, for the arrest of offenders, and maintenance of public order. He shall execute and return all process issued and directed to him by any legal authority; he shall enforce all ordinances passed by the Mayor and Common Council, and arrest all persons guilty of a violation of the same; he shall prosecute before some competent tribunal for all breaches or violations of city ordinances He shall also have charge of the city prison and prisoners confined therein, and all those who are sentenced to labor upon the streets or public works of the city, and shall see that all orders and sentences in reference thereto are fully executed and complied with, and shall perform such other duties as may be prescribed by the Board of Police and Fire Commissioners.

City Engineer.

SEC. 11. The Mayor shall, by and with the consent of the Common Council, appoint a civil engineer and surveyor, who shall be known as the City Engineer. He shall perform the duties prescribed by this charter and such other duties as may be prescribed by the Common Council

He shall have at least five years' practical experience as a civil engineer. He shall possess the same power in said city in making surveys, plats, and certificates as is or may be from time to time given by law to county surveyors, and his official acts and all plats, surveys, and certificates made by him shall have the same validity and be of the same force and effect as are or may be given by law to those of county surveyors.

The duties of the City Engineer, other than those prescribed by the Act mentioned in Section 1 of Chapter I, Article VIII, of this charter, shall be as follows:

First—To attend all council meetings held for the purpose of discussing, ordering, or accepting public work, and advise the council as to all engineering questions.

Second—To examine and report, when requested by the Mayor and Common Council, upon any proposed improvement, repair, or change in the public works of the city, not coming under the provisions of said Act

Third—To perform all civil engineering and surveying necessary in the prosecution of such public work, prepare all plans and specifications, superintend their execution as far as their general scope is concerned, and certify as to the progress or completion of all such public work, improvement, change, or repair.

Fourth—To take especial charge of the system of underground street monuments and bench marks; reset them without delay if, by reason of street improvement, sewer work, or any other cause, they should be disturbed or permanently covered with concrete, bitumen, or otherwise, and to extend the system of underground street monuments as fast as the state of his work will permit, so as to cover all streets within the city limits

Fifth—To keep all notes, books, and maps in his office thoroughly indexed and systematically arranged in such a manner that his work may be picked up at any time by any competent engineer.

Sixth—To give his exclusive time to the services of the city, and perform such other engineering duties as may be required of him by the Mayor and Common Council.

The City Engineer may appoint such deputies and assistants, not exceeding the number that may be fixed by the Mayor and Common Council, as the duties of his office may require. The deputies and assistants so appointed shall receive such compensation as may be fixed by the Mayor and Common Council, and they, or any of them, may be removed at pleasure by the City Engineer. All maps, plats, field notes, records, and other data made by the City Engineer shall be the exclusive property of the city

ARTICLE VII.

JUDICIAL DEPARTMENT.

SECTION 1. The judicial power of the city shall be vested in a Police Court, consisting of one Police Judge, to be elected as other city officers are, at the general municipal elections of the city, and to hold office for two years. He shall be a qualified elector of said city He shall be furnished by the city a suitable court-room and office, and shall be paid by the city a salary of two thousand dollars per annum. Any vacancy in his office shall be filled by the Mayor, with the consent of the Common Council. The city shall also provide a clerk and police officers for said court.

SEC. 2. The powers, jurisdiction, and authority of said Police Court shall be as provided by law and the ordinances of the city. Said court shall be always open for the transaction of business, except on legal holidays.

SEC. 3. The foregoing provisions of this article shall not take effect until the Mayor and Common Council shall deem it necessary or expedient to establish a Police Court, as above provided for, and shall by ordinance so declare and establish the same Until the Mayor and Common Council shall so ordain, the provisions of the general laws of the State applicable to City Justices of the Peace shall be and continue in full force and effect.

ARTICLE VIII.

PUBLIC WORKS.

Chapter I—Improvement of Streets.

SECTION 1. An Act of the Legislature of the State of California entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as since amended, and as hereafter shall be amended, is hereby adopted as a part of this charter, and shall have the same force and effect as if incorporated at length herein, except where the provisions of said Act conflict or are inconsistent with the provisions of this charter.

SEC. 2. When the estimated expense of any improvement being made under said Act exceeds two dollars per front foot along each line of the street proposed to be improved, the Superintendent of Streets, at the time of posting along the street the notices of the passage of the resolution of intention, shall cause to be deposited on the front doorstep of each dwelling fronting on the proposed improvement a copy of Part I of said Act

SEC. 3. If the improvement is being made under the provisions of Section 13 of said Act, with the notice requiring the repair or reconstruction to be made, the Superintendent of Streets shall, in like manner, deposit a copy of Sections 13, 14, 15, 16, and 17 of said Act, and also a copy of any ordinance passed pursuant to Section 15 of said Act.

SEC. 4. If bonds are to be issued pursuant to an Act of the Legislature 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, and any assessment less in amount than $50 remains unpaid for thirty days from the date of the warrant, or for five days after final decision on appeal, as provided in Section 11 of said Act, the Mayor and Common Council may, by resolution, order such assessment paid from the street contingent fund, and the Superintendent of Streets shall thereupon release said assessment on the books of his office as upon payment in other cases.

SEC. 5. At the beginning of each month the Superintendent of Streets shall file with the City Clerk a statement, verified by his oath, containing such items of expense of improvements made during the preceding month which could have been charged under the provisions of said Act as incidental expenses; said statement shall also show what amounts have been collected and what disposition has been made thereof The City Clerk shall lay such statement before the Mayor, who shall carefully examine the same, and if he finds that the provisions of said Act in relation to the collection of incidental expenses have been observed, shall indorse his approval on said statement, and deposit it with the Clerk. The Mayor and Common Council shall not allow any claim for a service which could have been charged as incidental expenses under the provisions of said Act, except when the work is abandoned before letting a contract, or unless such service was ordered by the Mayor and Common Council before it was performed.

SEC 6. All bids for public work shall be made upon printed forms, to be prepared by the Superintendent of Streets, and furnished gratuitously upon application, with a form for the affidavit hereinafter provided for, printed thereon. Each bid shall have thereon the affidavit of the bidder that such bid is genuine, and not collusive or sham; that he has not colluded, conspired, connived, or agreed, directly or indirectly, with any other bidder or person, to put in a sham bid, or that any other person shall refrain from bidding; and has not in any manner sought by collusion to secure any advantage against said city, or any person interested in said improvement, for himself or any other person.

No person, corporation, or firm shall be allowed to make or file, or be interested in, more than one bid for the same work If, on the opening of said bids, more than one bid appear in which the same person, corporation, or firm is interested, all such bids shall be rejected.

SEC. 7. No surety on any bond required under this article shall be taken unless he be a resident and freeholder in the State of California, and he shall justify (for which a form shall be printed on said bond) that he is such resident and freeholder, and that he is worth the amount for which he becomes surety, over and above all his debts and liabilities, in unincumbered real property, situated in said State, standing of record in his own name and assessed to him, and on which the taxes are not delinquent Said bond shall be approved by the Mayor If such surety be a non-resident of the County of Santa Clara, his sufficiency shall be certified by the Superior Judge of the county where he justifies, whose certificate shall be indorsed on said bond before the same is presented to the Mayor for approval.

A bond of a surety company, organized and existing under the laws of the State of California, may be taken, if approved by the Mayor and Common Council.

SEC. 8 When the work under any contract shall have been completed, the contractor shall make out and file in the office of the Superintendent of Streets an affidavit to the effect that he has not entered into any private agreement, verbal or written, with any person liable to be assessed for said work, or with any one on his behalf, to accept a price from him less than the price named in said contract, nor to make any rebate or deduction to him from such price, and no assessment shall be made until said affidavit is filed. Any such agreement shall be deemed a fraud upon all persons liable to be assessed for such work, other than the property owners who were parties to the agreement, and

shall operate to void, as to such persons so defrauded, any assessment made for the work done under said contract

SEC 9. If any check or bond required to accompany a bid for work authorized by this article shall be forfeited for failure, neglect, or refusal of the bidder to enter into the contract to do said work, the Mayor and Common Council shall not have power to relieve from or remit such forfeiture, unless it be shown by the contract that errors have been made in the proceedings sufficient to vitiate the contract

SEC. 10. The Mayor and Common Council shall select some place in said city, which shall be known as the "corporation storeyard," wherein shall be kept all supplies, material, implements, and machines belonging to said city, and shall provide for the proper care and protection thereof.

Chapter II—Opening of New Streets.

SECTION 1. An Act of the Legislature of the State of California 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, and any Acts amendatory thereof, or supplemental thereto, now or hereafter made, are hereby adopted as a part of this charter, and shall have the same force and effect as if incorporated at length herein, except where the provisions of said Act or Acts conflict or are inconsistent with the provisions of this charter

SEC. 2. No street hereafter laid out or opened shall be approved or become a public street unless the same shall be at least sixty feet in width, and two hundred feet distant from any parallel street, except it shall be the extension of a street already in existence.

SEC 3. In all cases where lands in said city shall be hereafter subdivided and laid out in blocks or plats, sub-lots, streets, and alleys, or where new streets or public grounds shall be laid out, opened, donated, or granted to the public by any proprietor, the map or plat thereof shall be submitted to the Mayor and Common Council for approval, and if it approves the same, such approval shall be indorsed on said map or plat, and said map shall then be filed in the office of the County Recorder. Without such approval indorsed thereon, no such map or plat shall have any validity to dedicate to public use any street, alley, or public ground, nor shall any such street, alley, or public ground be subject to any public improvement or expense

Chapter III—Of the Sewers and Drainage.

SECTION 1 The Mayor and Common Council, with the advice of the City Engineer, shall prescribe the location, form, and material to be used in the construction, reconstruction, and repairing of all public sewers, manholes, sinks, drainage, cesspools, and other appurtenances belonging to the drainage system, and of every private drain or sewer emptying into a public sewer, and determine the place and manner of the connection, and shall, by ordinance, prescribe the penalties of any violation thereof Contracts for all of said work (excepting private sewers and drains), shall be based upon plans and specifications made by the City Engineer upon an order of the Mayor and Common Council, shall be let in the same manner as prescribed in this charter for other contracts The work shall be done under the supervision of the City Engineer and Superintendent of Streets, and shall be accepted and paid for out of the sewer fund upon a certificate signed by both said City Engineer and said Superintendent of Streets, stating that the work has been completed to their satisfaction and in every particular agreeable to said plans and specifications. The Superintendent of Streets shall be sewer inspector.

Chapter IV—Park Commissioners.

SECTION 1. The tract of land known as Alum Rock Park, or the City Reservation, shall be under the control and management of a board of five commissioners, who shall be styled "The Board of Park Commissioners."

SEC. 2. Said commissioners shall organize as a board by electing one of the number president, and may elect a secretary, who may be a member of the board. The person so elected president shall hold his office for one year, and until his successor is elected

Said commissioners shall receive no compensation Three of said commissioners shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time

SEC. 3. Said Board of Park Commissioners shall have the full and exclusive power to govern, manage, and direct the said park, and such other grounds as have been or shall be placed under its care and charge, subject to the right of the Mayor and Common Council to lease a portion of said reservation as herein provided; to employ and fix the compensation of such employés as may be necessary for the proper care and improvement of the park; to expend the moneys appropriated by the Mayor and Common Council, or received from any source for the purpose of managing and improving said public grounds; to appoint a superintendent, who shall have the same power of arrest as is vested in police officers

SEC. 4. The park police shall have authority to arrest.

SEC 5. The board shall have exclusive control and disposition of the moneys provided for the management and improvement of said public grounds.

SEC. 6. It shall be lawful for such Board of Park Commissioners to pass and adopt such rules and regulations as they may deem necessary for the regulation, use, and

government of said reservation and grounds under their supervision Such rules and regulations shall, within five days after their passage, be posted in at least three conspicuous places on said grounds.

SEC. 7. The board shall annually, and on the third Monday of July of each year, make to the Mayor and Common Council of the city a full report of its proceedings, and a detailed statement of its receipts and expenditures, and an estimate of the probable necessities and expenses of the next fiscal year.

SEC 8. The Common Council is hereby authorized and empowered to levy and collect each year, in the mode prescribed by law for the levy and collection of taxes, a tax not less than three cents upon each one hundred dollars assessed valuation of taxable property within the City of San José, for the purpose of preserving, maintaining, and improving the parks and grounds under the control of the Park Commissioners. All moneys collected and arising from the said tax, and from baths or other sources, shall be paid by the Tax Collector, or other officer collecting the same, into the treasury of said city, and shall be deemed to be thereupon appropriated and set apart for any salary or expenditure incurred in the management, maintenance, preservation, and improvement of said parks and grounds.

ARTICLE IX.

SCHOOL DEPARTMENT.

SECTION 1. The school department shall comprise all the public schools in the City of San José, except the State Normal School, and shall include primary and grammar schools and high schools, and may, at the discretion of the City Board of Education, include evening schools, kindergartens, and technical or industrial schools; *provided*, that no school moneys shall be used for kindergartens or technical schools when such use will prevent the board from maintaining free primary, grammar, and high schools for ten months, and the necessary evening schools for four months, in each year

SEC 2. The government of the school department is hereby vested in a City Board of Education, consisting of five members, one from each ward and one at large, who shall serve without compensation.

SEC. 3. No person shall be eligible to become a member of the Board of Education who is not at least 25 years of age, and who has not been a resident of the city for three years next preceding his or her appointment. Said appointment shall be without regard to politics and from heads of families, irrespective of sex

SEC. 4. The Board of Education shall enter upon the discharge of their duties on the first Monday in July after their appointment, and the board shall meet upon said date and organize by electing one of their number president, whose term of office shall be one year. They shall hold regular meetings at least once each month, at such place and time as may be determined by its rules. Special meetings may be called by the president or by any three members No business shall be transacted at such special meetings that has not been distinctly stated in the call. A majority of the members shall constitute a quorum, but an affirmative vote of three members shall be necessary to pass any order. The sessions of the board shall be public, and its minutes open to inspection. The board may determine the rules of its proceedings, and the ayes and noes shall be taken and recorded when demanded, and they shall be taken and recorded on all questions involving elections or appointments, or the expenditure of money.

SEC 5 The powers and duties of the Board of Education are as follows:

First—To establish and maintain public schools, as herein provided, and to change, consolidate, and discontinue the same.

Second—To manage and control the school property.

Third—To employ, pay, and dismiss teachers, janitors, school census marshals, and such persons as may be necessary to carry into effect the powers and duties of the board, and to fix, alter, allow, and order paid their salaries or compensation, and to withhold, for good and sufficient cause, the whole or any part of the salary or wages of any person or persons employed as aforesaid; *provided*, that no election of a teacher or other person employed by the board shall be construed as a contract, either as to the duration of time or amount of wages of such person.

Fourth—To make, establish, and enforce all necessary rules and regulations for the government and progress of public schools, and for the investigation of charges against any person in the employ of the department, and to carry into effect the laws relating to education.

Fifth—To establish and regulate the grade of schools and determine the course of study, the mode of instruction, and what text-books, other than those published by the State, shall be used in said schools; but any text-book adopted by the board shall not be changed within a period of four years after its adoption.

Sixth—To provide for the school department all necessary supplies, and incur such other incidental expenses as may be necessary for the welfare of the department

Seventh—To select plans for and supervise and control the construction of school buildings, to alter, repair, or rent the same, and to furnish them with proper school furniture, apparatus, and appliances, and to insure any and all school property.

Eighth—To take charge of any and all real estate and personal property that may have been or that may be hereafter acquired for the use and benefit of the public schools of the city.

Ninth—To grade, fence, and improve all school lots.

Tenth—To sue or to defend suits when necessary in administering the affairs of the school department.

Eleventh—To determine, annually, the amount of school tax necessary for the maintenance of free public schools, and for carrying into effect all provisions of law regarding the same; and the amount so determined by said Board of Education shall be reported in writing to the Mayor and Common Council. This report shall specify the proper items of the amount of money required, in addition to state and county school moneys, to maintain grammar and primary schools, the amount required for the high school and other city schools, and what will be required to pay all fixed and incidental expenses, including the cost of erecting new buildings and of repairing old ones.

The Mayor and Common Council is hereby authorized and required to levy and collect as school tax the amount asked for by the Board of Education, when said amount does not exceed the sum of fifteen cents on each one hundred dollars valuation, as shown by the assessment roll. When the amount asked for exceeds the sum of fifteen cents on the one hundred dollars valuation, the Mayor and Common Council may, in its discretion, levy and collect as tax a sum not to exceed twenty-five cents on the one hundred dollars valuation, as shown by the assessment roll, but there shall be levied and collected not less than fifteen cents on the one hundred dollars valuation, as shown on the assessment roll

Twelfth—To prohibit any child under six years of age from attending the public schools, except where kindergartens are established, and in kindergartens to prohibit the attendance of children under four years of age.

Thirteenth—To admit non-resident children to any of the departments of the schools, at their discretion, upon the payment, at such time as the board may direct, of tuition fees, to be fixed by the board; *provided*, that the tuition required and collected shall in no case be less than the cost per capita of maintaining the school to which the pupil is admitted

Fourteenth—To dispose of, at public or private sale, such personal property as shall no longer be required by the department

Fifteenth—To exclude from the schools and school libraries all books, publications, or papers of a sectarian, partisan, or denominational character.

Sixteenth—To furnish books for children of parents unable to furnish them; and all books so furnished shall belong to the city, and shall be kept in the libraries of the schools when not in use.

Seventeenth—The City Board of Education may provide for special examinations for positions in high schools, kindergartens, or technical schools, and issue upon such examinations special certificates.

Eighteenth—In case of disaster from fire, riot, earthquake, or public enemy, the Board of Education may, with the approval of the Mayor and Common Council, incur extraordinary expenses in excess of the annual limit provided by this charter, for repair, construction, and finishing of school-houses, and the Mayor and Common Council may, by ordinance, cause to be transferred to the school fund, from moneys in any other fund not otherwise appropriated, sufficient moneys to liquidate such extraordinary expenditures.

Nineteenth—To use and apply the school funds of the city for the purposes herein named, and for no other purposes whatever. And, generally, to do and perform such other acts as may be required by general law applicable to the city, and as may be necessary and proper to carry into force and effect the powers conferred on said board, and to increase the efficiency of the public schools in the city.

SEC. 6. It shall be the duty of the board to prescribe a course of study for its high schools, and prescribe the text-books to be therein used

SEC 7. Each member of the board shall visit every school in the city at least once in each term, and examine carefully into its management, condition, and wants.

SEC 8 The Board of Education shall immediately after its organization elect a City Superintendent of Schools, who shall hold his office for four years, unless sooner removed for cause, and by four affirmative votes after a full investigation. Said Superintendent shall, upon his election, become an ex officio member of the board, but shall not be entitled to vote.

They may also, when they deem it necessary, elect a Deputy City Superintendent

They shall fix the salary of the City Superintendent of Schools and of the deputy, if there be one, and said salaries shall not be changed during their term of office.

The City Superintendent shall be ex officio secretary of the board.

SEC. 9 The Board of Education shall elect two of its members, who, together with the City Superintendent, shall constitute a Standing Committee on Classification, and in this committee the City Superintendent shall be entitled to a vote.

SEC. 10. It shall be the duty of the School Superintendent:

First—To report to the Board of Education annually, and at such times as it may require, all matters pertaining to the expenditures, income, condition, and progress of the public schools of the city during the preceding year, with such recommendations as he may deem proper

Second—To visit each school and thoroughly examine each grade thereof at least once a month, and at such other times as the welfare and efficiency of the schools demand.

Third—To observe and cause to be observed such general rules for the regulation, government, and instruction of the schools as may be established by the board.

Fourth—The Superintendent may, for cause good and sufficient, in his judgment, suspend any teacher employed in the schools of the city until the next meeting of the Board of Education.

Fifth—To recommend to the board the dismissal of teachers, stating the reasons therefor.

Sixth—To attend all sessions of the board, and give information at each session of the condition of the public schools, school-houses, school fund, and other matters connected therewith, and recommend such measures as he may deem necessary for the advancement of education in this city.

Seventh—To acquaint himself with all the laws, rules, and regulations governing the public schools in the city, and the judicial decisions thereon, and give advice upon all matters connected with the public schools gratuitously to officers, teachers, pupils, and their parents and guardians.

SEC. 11. He shall, at the regular meeting in the month of June of each year, submit to the board a detailed statement of the amount, as near as may be ascertained, of fuel, blanks, blank books, books for indigent children, apparatus, and such other school appliances as may be necessary for the use of the city schools and the board for one year following.

SEC. 12. The Board of Education shall, upon the receipt of the statement from the Superintendent, as in the preceding section provided, call for sealed bids for furnishing the articles in said statement specified.

This they may do by advertisement in some daily paper published in the city, or by sending notice that bids will be received as stated, to the several San José dealers in the lines of the articles wanted

These bids shall be publicly opened in the office of the City Superintendent, and the contracts awarded to the lowest and best bidders.

SEC. 13. The Committee on Classification shall make themselves thoroughly acquainted, by personal inspection, with the work of every employé of the board, and it shall be the duty of this committee, at least twenty days before the close of the school year, to make a written report to the board, stating what duties are being discharged by each employé and the nature of the service rendered. In this report they shall distinctly state what employés shall, in their opinion, be retained for the ensuing year.

SEC. 14. No teacher shall be elected or appointed to a position in the school department, except in technical or industrial schools that may be established, or as special teacher of some branch, who does not hold a California primary or grammar grade certificate, in full force; and no one shall be elected to a permanent position who has not taught successfully at least one school year in the schools of the city. All teachers thus elected to permanent positions in the department, who are reported upon favorably by a majority of the Committee on Classification, shall retain their positions for the ensuing year without reëlection, and shall be removed only for cause. No teacher shall be removed from a position held in the schools of the city, except by the votes of four members of the board. All claims payable out of the school fund shall be filed with the secretary of the board, and before payment shall be approved by a majority of all the members elected to said board, upon a call of ayes and noes, which shall be recorded.

ARTICLE X.

POLICE AND FIRE DEPARTMENT.

SECTION 1. The police and fire department shall be under the control and management of a Board of Police and Fire Commissioners They shall not be less than twenty-five years of age, and must have been residents of said city for at least five years prior to such appointment. They shall hold office for four years, and until their successors have been appointed and qualified. Said board shall be so composed that there shall never be at any time more than two commissioners from the same political party. They shall serve without compensation.

SEC. 2. The commissioners shall meet in said city within ten days after their appointment, and organize as a Board of Police and Fire Commissioners, and elect one of their number president, who shall hold his office for one year. They shall elect a secretary, who shall perform such duties as may be prescribed by the board. No commissioner shall be eligible for any other office under the city, county, or state government during his incumbency as said commissioner, except the office of notary public or officer of state militia.

SEC. 3. The sessions of said board shall be public, except that executive sessions may be held in special cases by unanimous vote. Said board shall meet at least twice a month, and at the call of the president. Three members shall constitute a quorum, but a less number may adjourn from time to time. A vote of three members shall be necessary to pass any resolution.

SEC. 4. Said board shall have power:

First—To prescribe the salaries, qualifications, duties, rank, badges of office and uniforms of the officers, members, and employés of said department.

Second—To prescribe rules and regulations for the government and discipline of the same, and prescribe and enforce penalties for their violation.

Third—To hear and summarily determine all complaints of misconduct, inefficiency, or violation of the rules, or other charge against any officer, member, or employé of said departments, and to take such action thereon as shall be most conducive to the main-

tenance, discipline, and efficiency of such department. In all investigations or trials conducted by said board, the president thereof shall have the power to issue subpœnas for the attendance of witnesses, and the production of papers before it. Such subpœnas shall be served by any policeman. Any member of the board may administer oaths and affirmations in the conduct of said investigations.

Fourth—To appoint, at the request of the Mayor, for one day only, special policemen, who shall be under the supervision and control of the Chief of Police

Fifth—To require all electric, telegraph, and telephone wires to be located, laid, erected, and maintained subject to their approval.

Sixth—The board shall have power to make all necessary rules and regulations to carry into execution the foregoing powers and all other powers vested in said board by this charter, or by any ordinance of the Mayor and Common Council passed pursuant thereto, or by the Constitution and laws of this State; and in general to manage and control said departments

SEC. 5. The board shall maintain a fire alarm and police telegraph or telephone, and shall manage and control the same, appoint the superintendent thereof, in like manner with other employés of the police and fire department.

SEC. 6. The police department shall consist of a Chief of Police and such captains, detectives, and other policemen as the board may determine to be necessary; *provided*, the police force, other than the Chief of Police, shall not exceed one police officer for each one thousand inhabitants of the city.

SEC. 7. The fire department shall consist of a Chief Engineer and assistants, and as many drivers, engineers, hosemen, and other employés as the board may determine to be necessary.

SEC. 8. The board shall, annually, on or before the third Monday in July, render to the Mayor and Common Council a verified, itemized account, in writing, of all moneys received and disbursed during the preceding year, and shall report to the Mayor and Common Council an estimate of the money that will be required to pay all salaries and expenses of the police department and the fire department, including the fire alarm and police telegraph or telephone service, for the ensuing year, specifying in detail the proper items for which the same will be required.

SEC. 9. Said board shall supervise and possess full power and authority over all the funds, moneys, and appropriations made for the use of the police and fire departments, and also the organization, government, and discipline of said departments, and shall have control of all the property and equipments belonging to said departments.

SEC. 10. If this charter be approved by the Legislature at its thirty-second session, the officers and members of the police and fire departments in service at that time shall constitute the police force and fire departments respectively, till the Board of Police and Fire Commissioners have organized, when appointments to said departments shall be made. If not approved until the thirty-third session, those in service at that time shall constitute the police force and fire department, respectively, till the first Monday in July, 1899, at which time the commission shall appoint all officers and members of the police and fire departments respectively. Those of the old force in the police and fire departments who are reappointed by the Board of Police and Fire Commissioners shall hold their positions during good behavior and efficiency All new officers and members shall be appointed for only one year and on probation. Reappointments from their number shall be during good behavior and efficiency.

SEC. 11. The officers, members, and employés of said police and fire department shall be appointed by said board immediately after its organization, and shall retain their positions during good behavior and efficiency, but no appointments or removals shall be made for political reasons, nor shall any removal be made except for cause.

SEC. 12. All persons appointed in said departments must be citizens of the United States, of good character for honesty and sobriety, able to read and write the English language, and residents of said city at least three years next preceding their appointment, and at least twenty-one years of age. All new appointments to the police force shall possess the physical requirements for recruits in the infantry service of the United States army, and must pass a medical examination, under such rules and regulations as may be prescribed by said board.

SEC 13. No member of the police or fire department shall be eligible to any other public office while connected with such department, nor shall he take part in any convention held for political purposes, nor shall be be a member of any political club. No member of said department shall interfere with politics on an election day, or at any other time, except to exercise his right to vote, while employed in said departments.

ARTICLE XI.

FREE PUBLIC LIBRARY.

SECTION 1. The Free Public Library shall be under the management of a board of five trustees. The present Board of Trustees of said library shall have the management and control thereof until its successors are appointed and qualified as provided in this chapter.

SEC. 2. The position of trustee shall be one of honorary trust, without salary or compensation, and all appointments shall be made without regard to politics and irrespective of sex. Said library trustees shall not be less than twenty-five years of

age, and must have been residents of said city for at least five years prior to their appointment.

SEC 3. The Mayor and Common Council shall, at the request of the Board of Trustees, in making the annual tax levy, and as a part thereof, if the maintenance of the library has not otherwise been provided for, levy a sum of not less than 3 cents, nor more than 5 cents, on the hundred dollars assessed valuation for the purpose of maintaining said library and for purchasing books, journals, and periodicals, and for constructing such buildings as may be necessary.

SEC. 4. If payment into the treasury of any money or property derived by donation or bequest would be inconsistent with the conditions or terms of any such donation or bequest, said board shall provide for the safety and preservation of the same and the application thereof to the use of said library in accordance with the terms and conditions of such donation or bequest.

SEC. 5. The title to all property, real and personal, now owned or hereafter acquired by purchase, donation, or bequest, or otherwise, for the purpose of said library, when not inconsistent with the terms of its acquisition, shall vest and be and remain in said city, and in the name of said city may be sued for and defended by action at law or otherwise.

SEC 6 The board shall meet at least once each month, and a majority shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time It shall elect one of its number president, who shall serve for one year and until his successor is elected, and shall elect a librarian and such assistants as may be necessary It may elect a secretary, who shall keep a full account of all property, money, receipts, and expenditures, and a record of all its proceedings. The secretary must serve without compensation.

SEC. 7. Said board, by a majority vote of all its members, to be recorded in its minutes, with the ayes and noes, shall have power:

First—To make and enforce all rules, regulations, and by-laws necessary for the administration, government, and protection of said library and all property belonging thereto, or that may be loaned thereto.

Second—To administer any trust declared or created for such library and reading-rooms

Third—To define the powers and prescribe the duties of all officers; determine the number of and elect all necessary subordinate officers and assistants, and at its pleasure remove any officer or assistant.

Fourth—To purchase necessary books, journals, publications, and other personal property

Fifth—To fix the salaries of the librarian and assistants, and other employés, and with the approval of the Mayor and Common Council, expressed by ordinance, to rent and equip such building or buildings, room or rooms, as may be necessary for said library and reading-rooms

Sixth—Said board, on or before the third Monday of July in each year, shall make a report to the Mayor and Common Council, giving the condition of its trust, with full statement of all property and money received, whence derived, how used and expended, the number of books, journals, and other publications on hand, the number added by purchase, gift, or otherwise, during the next preceding fiscal year, the number lost or missing, the number and character of those loaned, and such other statistics, information, and suggestions as may be of general interest; and also a financial report, showing all receipts and disbursements, with particulars thereof, and the names of all employés and the salary paid to each

Seventh—To do all that may be necessary to carry into effect the provisions of this charter with reference to said library and reading-rooms.

ARTICLE XII.

HEALTH DEPARTMENT.

Chapter I.

SECTION 1. There shall be a Board of Health, which shall consist of five members, who shall serve without compensation.

SEC. 2. The members of the Board of Health shall have the following qualifications:

First—They shall be duly licensed physicians under the laws of the State of California.

Second—They shall have practiced their profession for at least five years, and shall have been electors of the City of San José for two years.

SEC. 3. Regular meetings of the Board of Health shall be held at least once a month. Special meetings may be held at the call of the president of the board or three members thereof. All meetings shall be public. Three members shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time.

SEC. 4. The persons appointed members of the Board of Health shall meet within fifteen days after their appointment and elect one of their number president, whose term of office shall be one year. They shall elect one of their number Health Officer, who shall serve as secretary, and shall have the powers of a police officer in matters pertaining to his office They shall elect such subordinate officers as may be necessary to carry out the provisions of this charter, and shall also define their duties and fix the compensation of all employés.

SEC. 5. The Board of Health shall exercise a general supervision over the health of the city, with full power to use all measures necessary to promote the cleanliness and sanitary conditions thereof, to prevent the introduction into the city of malignant or infectious diseases, and to remove or otherwise dispose of any person or animal attacked by any such disease, and to adopt in reference to such person or animal any restrictions, regulations, or measures deemed advisable. Said board shall adopt and enforce such forms and regulations as in their judgment will secure reliable, vital, and mortuary statistics, and shall have the supervision of all persons engaged or appointed to carry out any of the powers conferred on said board.

ARTICLE XIII.

MISCELLANEOUS PROVISIONS.

SECTION 1. The fiscal year shall begin on the first day of July.

SEC. 2. In any case of "removal for cause" of any officer or employé, this shall be the course of procedure: Charges and specifications shall be filed with the body having jurisdiction, and a copy of such charges and specifications shall be immediately served on the accused, who shall have the right to be heard in his own defense, with counsel, and shall be entitled to process to compel the attendance of witnesses in his behalf. When a judgment is rendered and recorded in any such case, the judgment shall be final.

SEC. 3 The Mayor and Common Council shall not have power to relieve any person or citizen from the payment of any lawful tax, assessment, fine, bond, or security, nor to exempt him from any burden imposed on him by law, ordinance, or this charter.

SEC. 4 All deputies much be citizens of the United States, and must have resided in the City of San José at least two years next preceding his or her appointment They, and each of them, shall perform such duties as may be required of them by law, ordinance, or this charter, and shall only receive such compensation as may have been (previously) provided, and such compensation shall not be increased during the term for which they were appointed

SEC. 5. Any person holding a salaried office of this city, whether by election or appointment, who shall, during his term of office, hold or retain any other office of honor, trust, or emolument under the Government of the United States, or of this State (except the office of notary public or officer of the National Guard), or who shall hold any other office connected with said city, or who shall become a member of the Legislature, shall be deemed to have thereby vacated the office held by him under the city government.

SEC. 6. Every officer who shall approve, allow, or pay any demand on the treasury not authorized by law, ordinance, or this charter, shall be liable to the city individually and on his official bond for the amount of the demand so illegally approved, allowed, or paid.

SEC 7. It shall be the duty of the Mayor, the City Clerk, and the City Attorney to count the money in the city treasury at least once each month, and to see that the amount on hand tallies with the amount that should be in the fund, as shown by the books of the City Clerk, and City Treasurer.

SEC 8. All officers, boards, and commissioners shall each turn over and deliver to their respective successors designated in this charter, all papers, books, documents, records, archives, and other properties pertaining to their respective offices or departments in their possession or under their control

SEC 9 Any elected officer, except members of the Common Council, may be suspended by the Mayor, and removed by the Common Council, for neglect of duty or malfeasance in office. The procedure for removal shall be taken as prescribed in this charter, and the charges, proceedings, and final judgment, together with the ayes and noes, shall be entered on the minutes. In the event of removal, the judgment in the case shall be final, and the vacancy thus created shall be filled as provided in this charter.

SEC. 10. No member of the Common Council, or of any board, and no officer or employé of said city, while in office, shall be or become, directly or indirectly, interested in any contract, work, or business, or in the sale of any article the expense, price, or consideration of which is payable from the treasury, nor shall either or any of them receive any gratuity or advantage from any contractor or person furnishing labor or material for the same.

No officer or employé of this city shall give, or promise to give, to any other person any portion of his compensation, or any money, or valuable thing, in consideration of having been, or of being, nominated, appointed, voted for, or elected to any office or employment.

No officer or employé shall, while in office, accept any donation or gratuity in money or other valuable thing, either directly or indirectly, from any subordinate or employé, or any one under their charge, or from any candidate or applicant for any position as employé or subordinate under him.

A violation of any provision of this section shall cause a forfeiture of his office, and he shall be forever disbarred and disqualified from being elected, appointed, or employed in the service of the city

SEC 11. Every officer who shall willfully approve, allow, or pay any demand on the treasury not authorized by law, ordinance, or this charter, shall be liable to the city

individually, and on his official bond, for the amount of the demand so illegally approved, allowed, or paid, and shall forfeit the office which he holds, and be forever disbarred and disqualified from holding any position in the service of the city.

SEC. 12. All moneys, assessments, and taxes belonging to or collected for the use of the city, coming into the hands of any officer, shall immediately be deposited with the Treasurer for the benefit of the funds to which they respectively belong. If such officer, for twenty-four hours after receiving the same, shall delay or neglect to make such deposit (except the City Justice and Park Commissioners, who shall pay in their receipts of office monthly), he shall be deemed guilty of misconduct in office, and may be removed

SEC. 13 When any officer shall require additional deputies, clerks, or employés, application shall be made therefor, and upon such application it shall be the duty of the Mayor and Common Council, or board having authority to make such appointments, to make investigation as to the necessity for such additional assistance; and if the same be found necessary or expedient, may authorize such appointments, and provide for the compensation of such appointees, subject to the limitations contained in this charter.

SEC. 14. Whenever it is provided in this charter that the members of any board, department, or commission shall so classify themselves by lot that their terms of office shall expire at different times, such members shall, on the day of making such classification, cause the same to be entered in the records of their proceedings, and a copy thereof, certified by the secretary thereof and signed by all of said members, shall be filed with the City Clerk.

SEC. 15 All books and records of every office and department shall be open to the inspection of any citizen at any time during business hours, subject to the proper rules and regulations for the efficient conduct of the business of such department or office. Copies or extracts from said books and records, duly certified, shall be given by the officer having the same in custody, to any person demanding the same, and paying or tendering 5 cents per folio of one hundred words for such copies or extracts, and the additional sum of 25 cents for certifying to such certified copy or extract.

SEC. 16. Except where otherwise provided for by law or this charter, all public offices shall be kept open for business every day, except legal holidays, from 8.30 o'clock in the forenoon until 5 o'clock in the afternoon

SEC. 17. Every officer authorized by law or ordinance to allow, audit, or certify demands upon the treasury, or to make any official investigation, shall have power to administer oaths and affirmations and take and hear testimony concerning any matter or thing relating thereto.

SEC. 18. The Mayor and Common Council shall cause to be published, at the end of each year, the ordinances, classified under appropriate heads, passed by it during said year and then in force Every officer of the city shall be entitled to one copy without charge, and every citizen to a copy at the cost of publication. At the end of every fifth year, instead of the publication then as above required, the Common Council shall cause to be compiled, classified under appropriate heads, and published, all the ordinances then in force, and the same shall be subject to distribution as above provided.

SEC 19 It shall be the duty of the Board of Supervisors of the County of Santa Clara, when great registers are being printed, to provide for the printing of a sufficient number of such registers, in addition to the number required otherwise by law, to be printed for the general and special municipal elections to be held, or likely to be held, in the City of San José, and it shall be the duty of the County Clerk of said county to furnish such registers in sufficient number, when so required by the Mayor and Common Council of said city. The said County Clerk, when so required, for the purpose of a general or special municipal election, shall furnish to said Mayor and Common Council a supplemental list of all voters who have registered since the time of the last printed great register.

SEC. 20 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 Every ordinance shall embrace but one subject, which shall be clearly indicated in its title In all cases where the subject is not so indicated, the ordinance shall be void as to the matter not indicated in the title; that which is indicated shall remain in full force and effect

SEC 21. The Council shall not allow any extra or additional compensation, beyond what this charter expressly authorizes, to any officer for services that the Council have power to require the officer to perform by virtue of his office

SEC. 22. All Acts of the Legislature relating to the City of San José, and all the ordinances, resolutions, and other regulations now in force, and not inconsistent herewith, shall be and remain in force after this charter takes effect, until changed or repealed by the proper authority, and all rights vested under any former Act or regulation, when this charter takes effect, shall not thereby be lost, impaired, or discharged; and all actions and proceedings commenced in any court wherein the City of San José is a party shall be continued under the law existing when said action or proceeding was commenced.

WHEREAS, The City of San José, a city containing a population of more than ten thousand and less than one hundred thousand inhabitants, did, on the 2d day of November, eighteen hundred and ninety-six, at a special election, and under and in accordance with the provisions of Section 8, Article XI, of the Constitution of the State

of California, elect the undersigned a Board of Fifteen Freeholders, to prepare and propose a charter for said city;

Be it known, That, 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.

Articles, signed in duplicate, as and for the Charter for the said City of San José.

In witness whereof, we have hereunto set our hands and seals, at the City of San José, State of California, this second day of January, eighteen hundred and ninety-seven.

Done in duplicate.

WM. B. HARDY, Chairman.
WM. G. ALEXANDER.
CHARLES H. ALLEN.
JOHN E. AUZERAIS.
T. ELLARD BEANS.
A. B. HUNTER.
A. S. KITTREDGE.
VALENTINE KOCH.
MAURICE O'BRIEN.
D. J. PORTER.
S. E. SMITH.
FRANK STOCK.
D. C. VESTAL.
C. M. WOOSTER.
H. J. B. WRIGHT.

Attest: THOS. BODLEY, Secretary.

STATE OF CALIFORNIA, } ss
COUNTY OF SANTA CLARA, CITY OF SAN JOSÉ. }

This is to certify that we, V. Koch, Mayor of the City of San José, and J. W. Cook, City Clerk of said City of San José, have compared the foregoing proposed and ratified charter with one of the duplicates mentioned therein, and find that the same is an exact copy thereof; and we further certify that the facts set forth in the preamble preceding said charter herein are true.

Dated San José, Cal., February 24, 1897.

V. KOCH,
Mayor of the City of San José.
[SEAL]
J. W. COOK,
City Clerk of the City of San José.

The question being on the adoption of Senate Concurrent Resolution No. 7.

The roll was called, and Senate Concurrent Resolution No. 7 adopted by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Boone, Breiling, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Godfrey, Goff, Goodhue, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, McGrath, North of Alameda, Pohlmann, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—61.

NOES—None.

ASSEMBLY JOINT RESOLUTION No. 30.

Relative to and advocating the passage of the California Mineral Lands Bill.

WHEREAS, There is now pending in the Congress of the United States, the California Mineral Lands Bill; and

WHEREAS, The speedy enactment thereof is a matter of vital importance to California; therefore, be it

Resolved, That our Senators be instructed, and our Representatives in Congress be requested, to use all honorable means to secure the passage of the same; be it further

Resolved, That the Governor transmit a copy of this resolution by telegraph to the California delegation in Congress.

Mr. Caminetti moved that the rules be suspended and Assembly Joint Resolution No. 30 immediately considered.

So ordered.

The question being on the adoption of Assembly Joint Resolution No. 30.

The same was adopted.

REPORT OF COMMITTEE ON FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER: The committee on free conference appointed on behalf of the Assembly and of the Senate, respectively, with reference to the disagreement between the two houses relative to the abrogation of certain joint rules, respectfully report, recommending the following:

That Joint Rules XL, XLVIII, and XLIX be dispensed with for the remainder of the session.

That from this date only bills favorably reported from committee shall be considered by either house.

And we further recommend the passage of a concurrent resolution adjourning the Legislature *sine die* at twelve o'clock midnight of Saturday, March 13, 1897.

CUTTER,
Chairman Assembly Committee
DICKINSON,
Chairman Senate Committee.

Mr. Belshaw called for a division of the question.

Mr. Cutter moved the adoption of that part of the report referring to dispensing with Joint Rules XL, XLVIII, and XLIX.

So ordered.

Mr. Dibble moved that the report of committee on free conference be printed in the Journal, and lie over one day.

So ordered.

CONCURRENT RESOLUTION.

By Mr. Cutter:

ASSEMBLY CONCURRENT RESOLUTION No. 8

Resolved by the Assembly, the Senate concurring, That the Legislature adjourn *sine die* at twelve o'clock midnight, on Saturday, March 13, 1897.

PETITIONS.

The following petitions were presented and referred to committees, as follows:

By Mr. Caminetti: Petition from citizens of Amador County, relative to the enactment of a law regarding the sale of liquor in corner grocery stores.

Referred to Committee on Public Morals.

By Mr. Power, of Placer: Petition from citizens of Placer County, relative to the resubmission of the suffrage amendment.

Referred to Committee on Public Morals.

By Mr. Keables: Petition from citizens of Mono County, relative to Assembly Bill No. 612.

Referred to Committee on Ways and Means.

By Mr. Goff: Petition from citizens of San Bernardino County, relative to the enactment of a general saloon license law.

Referred to Committee on Public Morals.

By Mr. Vosburg: Petition from citizens of Los Angeles County, relative to the enactment of a general saloon license law.

Referred to Committee on Public Morals.

By Mr. Goff: Petition from citizens of San Bernardino County, relative to the enactment of a Sunday law.

Referred to Committee on Public Morals.

By Mr. Chynoweth: Petition from twelve citizens of Orange County, relative to the enactment of a Sunday law.

Referred to Committee on Public Morals.

By Mr. Lindenberger: Petition from citizens of Perris, Riverside County, relative to the enactment of a Sunday law.

Referred to Committee on Public Morals.

By Mr. North, of Yolo: Petition from citizens of Yolo County, relative to the enactment of a Sunday law.

Referred to Committee on Public Morals.

By Mr. Aldridge: Petition from thirty-five citizens of Santa Cruz County, relative to the sale of liquor in corner groceries.

Referred to Committee on Public Morals.

Also: Petition from one hundred and fifty citizens of Santa Cruz, relative to the sale of liquor in corner grocery stores.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Senate Bill No. 351—An Act entitled "An Act to amend Section 1196 of the Political Code, relating to elections"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 484—An Act to amend Section 1239 of the Political Code, relating to rules for determining question of residence—have the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 973—An Act to amend Section 1094 of the Political Code—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 855—An Act to secure independence of voters in elections in the State of California, and for the secrecy of the ballot, and to provide for the use of voting machines at elections in this State

Also: Assembly Bill No. 951—An Act for the acceptation of balloting or voting machines, and designating a particular voting machine

Also: Assembly Bill No. 966—An Act to add a new section to the Political Code, to be known as Section 1213, relating to elections.

Also: Assembly Bill No. 334—An Act providing for a general primary election within the State of California, and regulating the conduct thereof, and to support the privileges of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof and providing for the use of party vignettes, and the protection thereof; and repealing all other Acts in conflict with this Act.

Also. Assembly Bill No. 406—An Act providing for the election of delegates to party conventions, regulating the conduct of such conventions, and prescribing punishments for violations of duties imposed herein, and to protect any nominee of such party conventions in the use of the party name or designation upon all ballots cast in election for public officers.

Also: Assembly Bill No. 169—An Act providing for general primary elections 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, and for other purposes.

Also: Assembly Bill No. 74—An Act to provide for holding a joint primary election for all political parties

Also: Assembly Bill No. 16—An Act to establish a uniform system of primary elections in the State of California, and to repeal Sections 1357 to 1365, both inclusive, of the Political Code of this State, constituting Chapter XIV, of Title II, Part III, of said Code, and to constitute the several sections of this Act as Chapter XIV of said Code, under the head "Primary Election Law."

Also: Assembly Bill No. 2—An Act to regulate primary elections, and to protect nominees of party conventions in the use of the party name or designation upon all ballots cast in elections for public officers.

Also: Assembly Bill No 712—An Act to amend Section 1114 of the Political Code of the State of California, relating to registration.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors have permission to withdraw the same.

H. H. NORTH, Chairman.

Senate Bills No. 351 and 484, and Assembly Bill No. 973, placed on file for second reading.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Senate Bill No. 422—An Act to amend Sections 1895, 1897, 1898, 1900, 1912, 1913, 1918, 1919, 1924, 1936, 1945, 1962, 1965, 1966, 1970, 1973, 1974, 1976, 1980, 1981, 1982, 1984, 1986, 1990, 2003, 2006, 2007, 2018, 2022, 2076, 2084, 2094, 2099, and 2105 of the Political Code, and to repeal Section 2101 thereof, and to add three new sections thereto, to be known as Sections 1946, 2008, and 2009, all 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 a substitute for Assembly Bill No. 544, and take its place upon the Senate file.

CROSS, Chairman.

So ordered.

MOTION.

Mr. Shanahan moved that a committee of three be appointed to revise the file, and instructed to bring in a report recommending that certain bills be dropped from the file.

So ordered.

The Speaker appointed Messrs. Shanahan, Cross, and Valentine.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 660—An Act making an appropriation for the furnishing of a community dining-room and dormitory building for the Southern California State Asylum for the Insane and Inebriates

Also: Assembly Bill No. 435—An Act appropriating money to provide for the erection and furnishing of a residence for the Medical Superintendent of the State Insane Asylum at Stockton, California

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be permitted to withdraw the same.

Also: Assembly Bill No. 735—An Act making an appropriation to pay the claim of Charles Nelson, arising upon a judgment recovered by said Nelson against the State of California, in the Superior Court of the City and County of San Francisco, on May 27, 1896.

Also: Assembly Bill No. 928—An Act appropriating money to pay the expenses of collecting, preparing, forwarding, installing and maintaining, taking down and returning an exhibit of the products of the State of California at Hamburg, Germany, in 1897, and to provide for a commission, and the pay of the secretary thereof

Also: Senate Bill No 524—An Act to provide for the marking by monuments of a portion of the eastern boundary line of 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.

GUY, Chairman.

Senate Bill No. 524 and Assembly Bill No. 735 placed on file for second reading.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Senate Bill No. 136—An Act to establish a uniform system of county and township governments—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by committee.

BURNHAM, Chairman.

Senate Bill No. 136 placed on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 451—An Act to require ordinances and resolutions passed by the City

Council or other legislative body of any municipality to be presented to the Mayor or other chief executive officer of such municipality for his approval—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 483—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883.

Also: Senate Bill No 535—An Act authorizing municipal authorities to designate and set apart streets, and portions of streets, as boulevards, and restricting the power to grant franchises upon streets so designated and set apart.

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

VALENTINE, Chairman.

Senate Bills Nos. 483 and 451 placed on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 768—An Act to authorize the Governor to appoint and commission agents to collect and receive certain claims due the State of California from the United States, to provide compensation for such service, and to distribute the moneys recovered on such claims.

Also: Assembly Bill No. 897—An Act to authorize the Governor to employ an agent to collect certain claims due the State of California by the United States, and to provide compensation for such services

Also: Assembly Bill No. 936—An Act to provide for the levy and collection of an income tax.

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

WAYMIRE, Chairman.

Assembly Bills Nos. 768, 897, and 936 placed on file for second reading.

Mr. Shanahan moved that the rules be suspended and Assembly Bill No. 936 read second time.

Lost.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Concurrent Resolution No. 7, relative to the appointment of a non-partisan joint committee for examining sites for the foundation of a new State's prison—have had the same under consideration, and respectfully report the same back, with the opinion that it does not violate any of the provisions of the Constitution of the State.

Also: Assembly Bill No. 811—An Act to amend Section 328 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the time of commencing action—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 17—An Act fixing the minimum rate of compensation for labor on public work—have had the same under consideration, and respectfully report the same back, with the opinion that we see no constitutional reason why the amendment should not be concurred in.

Also: Assembly Bill No. 593—An Act to appropriate money for the support of orphans, half orphans, abandoned children, foundlings, and other abandoned infants—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw it

Also: Senate Bill No 150—An Act to amend Section 1323 of the Code of Civil Procedure of the State of California, relating to the probate of foreign wills.

Also: Senate Bill No. 246—An Act to amend Section 200 of the Code of Civil Procedure, by adding a new subdivision, to be known as subdivision No 11, relating to exempting exempt firemen from jury duty.

Also: Senate Bill No. 523—An Act to appropriate money for the support of orphans, half orphans, abandoned children, and other abandoned infants

Also: Senate Bill No 537—An Act to amend Section 1536 of the Penal Code, relating to the disposition of property taken on a search warrant

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

Also: Senate Bill No 285—An Act to add a new section to the Civil Code of the State of California, to be known and numbered as Section 79½, relating to the procuring of

licenses for marriage, the solemnization of marriages, and the recording of the declaration of marriage—have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass as amended.

WAYMIRE, Chairman.

Assembly Bill No. 811, and Senate Bills Nos. 150, 246, 523, 537, and 285, placed on file for second reading.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations hereby report the following temporary rule, under Rule LXVII of the Assembly: That the following bills be considered at a meeting of the Assembly to be held Thursday evening, March 4th, commencing at seven o'clock and thirty minutes; that all of said bills not now on the third-reading file be considered under the urgency clause of the Constitution, and be read second and third times, and placed on final passage; that no other business be transacted pending consideration of said measures, except by unanimous consent:

Assembly Bill No. 523—An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution, to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act

Assembly Bill No. 524—An Act to provide for the fencing of the farm property, the further equipment of the farm, and for the laying out and care of the grounds at the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Assembly Bill No. 972 (Substitute for Assembly Bill No. 639)—An Act to provide for the care of the dependent and wayward classes

Assembly Bill No 682—An Act providing for the publication of legal or official advertising

Assembly Bill No 810—An Act to amend Section 3 of an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, providing for the submission of the question of reincorporation of such corporations at special elections

Assembly Bill No. 828—An Act to provide for the appointment of a mining inspector in each congressional district in the State, to define his duties, and provide for his compensation and the liability of mining operators.

Assembly Bill No. 688—An Act to amend Sections 354, 1487, 1488, 1489, 1490, 1491, 1492, 1497, 1501, 1503, 1505, and 1507, and to repeal Sections 1504 and 1506 of the Political Code, relating to State Normal Schools.

Assembly Bill No 789—An Act to amend Section 309 of the Civil Code of California, relating to the liability of directors of corporations, and providing for the enforcement of the same.

Assembly Bill No. 647—An Act to provide for the establishment of a board of examiners for the California State Therapeutic Society and College.

Assembly Bill No. 942—An Act to provide for the auditing and examination of the claims against the State of soldiers who served in the Indian wars in California, during the years from 1847 to 1857, to authorize the Adjutant-General to appoint a clerk for that purpose, and making an appropriation for his salary.

Assembly Bill No. 667—An Act to amend Section 595 of the Civil Code of the State of California, relating to religious, social, and benevolent associations.

Assembly Bill No. 743 (Substitute for Assembly Bill No. 266 and Assembly Bill No. 498)—An Act to amend Section 3342 of the Political Code of the State of California, and to add a new section thereto, to be known as Section 3346 thereof, all relating to volunteer fire departments.

Assembly Bill No 926—An Act giving a lien to blacksmiths, woodworkers, and all other persons employed upon any vehicle or implement of husbandry, for labor performed or material furnished upon the same, and providing for liens upon horses and other animals for the cost of shoeing the same.

Assembly Bill No 850—An Act to assist the Woman's Relief Corps, auxiliary to the Grand Army of the Republic of the Department of California and Nevada, to provide for ex-army nurses, and the worthy destitute widows, wives, mothers, and destitute maiden daughters or sisters of veterans who served honorably in the war for the Union, and making an appropriation therefor.

Assembly Bill No. 849—An Act to authorize the Superintendents of Streets of municipalities in this State to enter into contracts for work upon public streets, in said municipalities, and to provide a lien for the expense thereof, and for suits to foreclose said liens

Senate Bill No 392—An Act to amend Section 499 of the Civil Code, relating to street railways operated under different managements

Assembly Bill No. 943 (Substitute for Assembly Bill No. 719)—An Act to repeal an Act entitled an Act regulating the sale of mineral lands belonging to the State,

approved March 28, 1874, and the Acts amendatory thereof, and to provide for the sale of mineral lands under United States laws

Assembly Bill No 379—An Act to provide for the purchase of additional land for the Preston School of Industry at Ione, and making an appropriation therefor.

Assembly Bill No 362—An Act entitled an Act to amend the Political Code by adding a new section prohibiting the imposing of a license upon any person soliciting orders for the sale of any articles manufactured or produced in this State, which, under the laws of the United States cannot be legally imposed upon persons soliciting orders for the sale of like articles manufactured in any of the States of the United States

Assembly Bill No. 741 (Substitute for Assembly Bill No. 258)—An Act to regulate the salaries of certain officers in the police department within municipalities of the first class in the State of California, and to provide for the appointment and salaries of other officers of such department.

Assembly Bill No. 620 (Substitute for Assembly Bill No. 67)—An Act to amend Sections 6 and 25 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 as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners, and adding three new sections thereto, to be numbered 28, 29, and 30, respectively.

CHYNOWETH, Chairman.

Ordered printed in Journal, and to lie over one day.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 664—An Act to amend Sections 435, 1595, and 1858 of the Political Code, and to add two new sections thereto, relating to kindergartens—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

ROBINSON, Chairman.

Assembly Bill No. 664 placed on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 561—An Act to appropriate $7,082 to pay the claim of Francis Williams, for services rendered the State of California as an irrigation commissioner—have had the same under consideration, and respectfully report the same back without recommendation, and ask that it be referred to Committee on Ways and Means

Also: Assembly Bill No 924—An Act making an appropriation for the payment of the claim of D. L. Blanchard, for supplying provisions to a company of United States cavalry, known as Captain Ramon Pico's company, with provisions for March, April, and May, 1863, during the War of the Rebellion, for $1,587, and simple interest thereon, at the rate of four per cent per annum, making the sum of $3,688—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, and be referred to the Committee on Ways and Means.

BELSHAW, Chairman.

Assembly Bill No. 561 referred to Committee on Ways and Means.

WITHDRAWAL OF BILL.

Mr. Malcolm moved that he be allowed to withdraw Assembly Bill No. 593.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 27, 1897.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 120.

JAMES H. BUDD, Governor.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 549—An Act to provide for certain improvements and repairs at the San Quentin State Prison, and making an appropriation therefor.

Also: Senate Bill No. 620—An Act making an appropriation to pay for the repairs and construction of buildings in Yosemite Valley, and for the improvement of the valley.

Also: Senate Bill No. 399—An Act making an appropriation for the purpose of constructing a reservoir, and laying and maintaining a line of pipe from said reservoir to the Marshall monument, and for other purposes.

Also: Assembly Bill No. 65—An Act establishing a State Normal School in San Diego County, California, and making an appropriation of $50,000 therefor.

Also: Substitute for Senate Bill No 321—An Act to establish the Polytechnic Institute of California in San Luis Obispo County, California, and making an appropriation therefor.

Also: Senate Bill No. 56—An Act to provide for the purchase of additional lands, and improving the same, at the Folsom State Prison, and making an appropriation therefor.

Also: Senate Bill No. 640—An Act authorizing the State Treasurer to furnish his office, and the vault therein, and making an appropriation therefor.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Senate Bill No. 549—An Act to provide for certain improvements and repairs at San Quentin State Prison, and making an appropriation therefor.

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

Senate Bill No. 620 referred to Committee on State Prisons and Reformatory Institutions.

Senate Bill No. 399—An Act making an appropriation for the purpose of constructing a reservoir, and laying and maintaining a line of pipe from said reservoir to the Marshall monument, and for other purposes.

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

Assembly Bill No. 65 ordered to enrollment.

Substitute for Senate Bill No. 321—An Act to establish the Polytechnic Institute of California in San Luis Obispo County, California, and making an appropriation therefor.

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

Senate Bill No. 640—An Act authorizing the State Treasurer to furnish his office, and the vault therein, and making an appropriation therefor.

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

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 398—An Act making an appropriation for supplying water, light, and fuel for the State Insane Asylum at Stockton.

Also: Substitute for Senate Bills Nos 341, 342, 343, and 564—An Act to provide for certain improvements at the Preston School of Industry, at Ione, and to make an appropriation therefor.

Also: Senate Bill No 89—An Act making an appropriation for the erection of a dairy barn and appurtenances for the Southern California State Asylum for the Insane and Inebriates.

Also: Senate Bill No. 87—An Act making an appropriation for enlarging the laundry of the Southern California State Asylum for the Insane and Inebriates to double its present capacity.

Also: Senate Bill No. 359—An Act to provide for the fencing of the farm property, the further equipment of the farm, and for the laying out and care of the grounds at

the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Also: Substitute for Senate Bills Nos. 357, 358, and 361—An Act to provide for additional buildings for the California Home for the Care and Training of Feeble-Minded Children; to equip the same for occupancy and use; to provide a system of electric lighting therein, and to make an appropriation therefor.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Senate Bill No. 398—An Act making an appropriation for supplying water, light, and fuel for the State Insane Asylum at Stockton.

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

Substitute for Senate Bills Nos. 341, 342, 343, and 564—An Act to provide for certain improvements at the Preston School of Industry, at Ione, and to make an appropriation therefor.

Read first time, and ordered on Senate special file.

Senate Bill No. 89—An Act making an appropriation for the erection of a dairy barn and appurtenances for the Southern California State Asylum for the Insane and Inebriates.

Read first time, and ordered on Senate special file.

Senate Bill No. 87—An Act making an appropriation for enlarging the laundry of the Southern California State Asylum for the Insane and Inebriates to double its present capacity.

Read first time, and ordered on Senate special file.

Senate Bill No. 359—An Act to provide for the fencing of the farm property, the further equipment of the farm, and for the laying out and care of the grounds at the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

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

Substitute for Senate Bills Nos. 357, 358, and 361—An Act to provide for additional buildings for the California Home for the Care and Training of Feeble-Minded Children; to equip the same for occupancy and use; to provide a system of electric lighting therein, and to make an appropriation therefor.

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

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 292—An Act to provide for the deficiency in the appropriation for support and maintenance of the widows and orphans of Union soldiers, sailors, and marines, and for ex-Union army nurses, residing at Evergreen, in the County of Santa Clara, at the Home in said county, and under the auspices of the Woman's Relief Corps Home Association, for the forty-eighth fiscal year.

Also: Senate Bill No 38—An Act appropriating the sum of $5,000 for repairs and improvements in the State Normal School buildings at Los Angeles, California.

Also: Senate Bill No. 64—An Act to establish a State hospital for special diseases, to provide for the management and maintenance of the same, and to make an appropriation therefor.

Also: Senate Bill No. 288—An Act to provide for the completion and equipment of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California, and to make an appropriation therefor

Also: Senate Bill No. 700—An Act providing an appropriation for the improvement of and repairs to Sutter's Fort and grounds

Also: Senate Bill No. 48—An Act to provide for additions and improvements to the Deaf, Dumb, and Blind Asylum, and making an appropriation for the same

Also: Senate Bill No. 684—An Act to assist the Woman's Relief Corps, auxiliary to the Grand Army of the Republic of the Department of California and Nevada, to

provide for ex-army nurses, and the worthy destitute widows, wives, mothers, and destitute maiden daughters or sisters of veterans who served honorably in the war for the Union, and making an appropriation therefor.

F. J BRANDON, Secretary.

Senate Bill No. 292—An Act to provide for the deficiency in the appropriation for support and maintenance of the widows and orphans of Union soldiers, sailors, and marines, and for ex-Union army nurses, residing at Evergreen, in the County of Santa Clara, at the Home in said county, and under the auspices of the Woman's Relief Corps Home Association, for the forty-eighth fiscal year.

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

Senate Bill No. 38—An Act appropriating the sum of $5,000 for repairs and improvements in the State Normal School buildings at Los Angeles, California.

Read first time, and placed on Senate special file.

Senate Bill No. 64—An Act to establish a State hospital for special diseases, to provide for the management and maintenance of the same, and to make an appropriation therefor.

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

Senate Bill No. 288—An Act to provide for the completion and equipment of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California, and to make an appropriation therefor.

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

Senate Bill No. 700—An Act providing an appropriation for the improvement of and repairs to Sutter's Fort and grounds.

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

Senate Bill No. 48—An Act to provide for additions and improvements to the Deaf, Dumb, and Blind Asylum, and making an appropriation for the same.

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

Senate Bill No. 684—An Act to assist the Woman's Relief Corps, auxiliary to the Grand Army of the Republic of the Department of California and Nevada, to provide for ex-army nurses, and the worthy destitute widows, wives, mothers, and destitute maiden daughters or sisters of veterans who served honorably in the war for the Union, and making an appropriation therefor.

Read first time, and placed on Senate special file.

WITHDRAWAL OF BILL.

Mr. Damon was granted unanimous consent to withdraw Assembly Bill No. 850, as Senate Bill No. 684 is an identical bill.

REPORT OF COMMITTEE ON CONTESTED ELECTIONS.

Mr. Kenyon called up for consideration the following report, submitted on yesterday:

MR. SPEAKER: Your Committee on Contested Elections, having had under consideration the claims in the case of Kelsey vs. McLaurin, of the Fifty-fifth Assembly District, beg to report as follows, viz.:

Louis Montgomery, attorney for Kelsey:

Attorney's fees	$100 00	
Stenographer's fees	30 60	
Filing petition	7 00	
Sheriff's fees	3 00	
		$140 60
J. D. Kelsey, witness fees		101 00
V. A. Scheller, attorney for J. J. McLaurin		100 00
John W. Sullivan, attorney for J. J. McLaurin		100 00
J. J. McLaurin, witness fees		145 00
J. Harrington, Justice's fees		86 10
W. H. Dwyer, Justice's fees		86 10
M. V. Collins, reporter's fees		227 80
Edward Haley, serving subpœnas		7 50
T. W. Measure, watchman		36 65
Henry A. Phister, County Clerk		65 60
A. Searles, tally clerk, one day		5 00
S. F Smith, tally clerk, four days		20 00
J. H. Jordan, tally clerk, five days		25 00
W. C. Randolph, calling ballots, five days		25 00
P. Desmond, stringing ballots, five days		25 00

A. A. Friedlander, Sergeant-at-Arms to committee:

January 25, 1897, one day	$5 00	
February 4, 1897, one day	5 00	
February 5, 1897, one day	5 00	
February 16th to 20th, inclusive	25 00	
		40 00

And herewith offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrants, and the Treasurer is instructed to pay the same, in favor of the parties named, and whose claims are approved in the above report, for the several amounts set opposite their respective names.

KENYON, Chairman.

Mr. Price moved to amend as follows:

Strike out the following items:

Stenographer's fees	$30 60
Filing petition	7 00
Sheriff's fees	3 00
Witness fees	101 00
J. J. McLaurin, witnesses	145 00
J. Harrington, Justice's fees	86 10
W. H. Dwyer, Justice's fees	86 10
M. V. Collins, reporter's fees	227 80
Edward Haley, serving subpœnas	7 50
Total	$694 10

Mr. Emmons moved that the report, together with the amendment, be re-referred to the Committee on Judiciary.

So ordered.

RESOLUTION.

By Mr. Guy:

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant upon the State Treasurer, in favor of J. D. Kelsey, as a member of the Assembly from the Fifty-fifth Assembly District, Santa Clara County, from January 4, 1897, to February 27, 1897, both inclusive, 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 Kelsey for the sum of $25 60, for his mileage as a member of the Assembly, payable out of the fund for per diem and mileage of Assemblymen; be it further

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of said Kelsey for the sum of $25, for contingent expenses, as a member of the Assembly, as provided for by Section 23 of Article IV of the Constitution of the State, payable out of the fund for contingent expenses of the Assembly.

Mr. Guy moved the adoption of the resolution offered by him on February 26th.

Mr. Caminetti moved that the resolution be re-referred to the Committee on Judiciary.

PREVIOUS QUESTION.

The previous question was moved by Mr. Wright, and seconded by Messrs. Clarke and Mead.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the motion to recommit.

The same was lost.

The question being on the adoption of the resolution by Mr. Guy.

The same was adopted.

MESSAGES FROM THE SENATE.

Mr. Soward moved that the Assembly now take up Senate messages.

So ordered.

SENATE CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on the 1st day of March, receded from Senate Amendment No. 9 to Assembly Bill No. 742, and refused to recede from Senate Amendments Nos. 2, 3, and 8; and, also, I am directed to inform your honorable body that the President of the Senate appointed the following as a committee on conference: Senators Voorhees, Prisk, and Chapman, and request that a like committee be appointed by the Assembly.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Mr. Soward moved that a conference committee be appointed to confer with a like committee from the Senate relative to amendments to Assembly Bill No. 742.

So ordered.

The Speaker appointed Messrs. Soward, Cutter, and Caminetti as such committee.

MOTIONS.

Mr. Burnham moved that Assembly Bill No. 872 be made special order for to-morrow at eleven o'clock A. M.

So ordered.

Mr. Emmons moved that Assembly Bill No. 410, which was made a special order for to-day, be continued until Thursday.

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 327—An Act adding a new section to the Civil Code, relating to the location of and to compel the construction of depots, stations, sidetracks, switches, turnouts, and spurs by transportation companies in the State of California, and fixing a penalty for failure to comply thereto.

Read third time.

Mr. Cutter moved that a select committee of one be appointed by the Speaker to make the following amendment:

Renumber the lines so as to be consecutive.

Motion lost.

Mr. Price moved that a select committee of one be appointed by the Speaker to make the following amendment:

Add after last word in line 5, Section 480½, the following: "if in their judgment it is considered necessary."

Motion lost.

Mr. Cross moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by inserting after the word "California," in line 8 of Section 1, the following: "except street railway and stage companies."

The question being on the appointment of a select committee of one.

The ayes and noes were demanded by Messrs. Cross, Chynoweth, and Cutter.

The roll was called, and the motion of Mr. Cross to appoint a select committee of one lost by the following vote:

AYES—Messrs. Bettman, Burnham, Chynoweth, Cross, Cutter, Damon, Dibble, Harris, Hill, Jones, Keables, Kelsey, Kenyon, Leavitt, Malcolm, Stansell, Valentine, and Mr. Speaker—18.

NOES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Boone, Bridgford, Burnett, Caminetti, Canavan, Cartwright, Clarke, Dennery, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Goodhue, Houghton, Hudson, Keegan, Lacy, Landsborough, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, North of Yolo, Pohlmann, Power of Placer, Rubell, Sanford, Shanahan, Strain, Toland, Treacy, and Vosburg—42.

Mr. Cutter moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by adding to Section 480½ these words: "The provisions of this section shall not apply to street-car or electric lines operated within the corporate limits of any city or town."

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Landsborough, McClellan, and Mead.

The question being, "Shall the main question be now put?"

The ayes and noes were demanded by Messrs. Cutter, Cross, and Hill.

The roll was called, and the previous question ordered by the following vote:

AYES—Messrs Aldridge, Allen, Austin, Belshaw, Breiling, Bridgford, Burnett, Caminetti, Canavan, Cartwright, Clarke, Dennery, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Houghton, Hudson, Keegan, Kelly, Lacy, Landsborough, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Rubell, Ryan, Sanford, Shanahan, Toland, Treacy, and Wright—44.

NOES—Messrs. Anderson, Bettman, Burnham, Chynoweth, Cross, Cutter, Damon, Dibble, Ennis, Goff, Goodhue, Harris, Henry, Hill, Jones, Keables, Kelsey, Kenyon, Leavitt, Malcolm, Price, Robinson, Soward, Stansell, Valentine, Vosburg, and Mr. Speaker—27

The question being on the motion of Mr. Cutter to appoint a select committee of one to amend the bill.

The ayes and noes were demanded by Messrs. Cutter, Cross, and Hill.

The roll was called, and the motion of Mr. Cutter to refer to a select committee of one lost by the following vote:

AYES—Messrs Bettman, Burnham, Cross, Cutter, Damon, Dibble, Ennis, Harris, Henry, Hill, Jones, Keables, Kelsey, Kenyon, Leavitt, Malcolm, Robinson, Soward, Stansell, Valentine, Vosburg, and Mr. Speaker—22.

NOES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Boone, Breiling, Bridgford, Burnett, Caminetti, Canavan, Cartwright, Chynoweth, Clark, Dennery, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Goodhue, Houghton, Hudson, Keegan, Lacy, Landsborough, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Rubell, Ryan, Sanford, Shanahan, Strain, Toland, Treacy, and Wright—49.

The question being on the final passage of Assembly Bill No. 327.

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

AYES—Messrs Aldridge, Allen, Anderson, Austin, Belshaw, Boone, Breiling, Bridgford, Burnett, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cutter, Dennery, Dolan,

Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Goodhue, Houghton, Hudson, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Robinson, Rubell, Sanford, Shanahan, Strain, Toland, Treacy, and Wright—50.

Noes—Messrs. Bettman, Burnham, Cross, Damon, Dibble, Ennis, Goff, Harris, Henry, Hill, Jones, Keables, Kelsey, Kenyon, Malcolm, Soward, Stansell, Valentine, Vosburg, and Mr. Speaker—20.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Cutter gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 327 was finally passed.

MOTION.

Mr. Dibble moved that the reconsideration of Assembly Bill No. 657 be made the special order for to-morrow night at seven o'clock and thirty minutes.

So ordered.

APPOINTMENTS BY SPEAKER.

The Speaker made the following appointments, as per the request of the special investigation committee, to serve without extra compensation:

Clerk, J. F Sheehan, Jr.; Sergeant-at-Arms, W. T. Hamilton; Stenographers, A. D. D'Ancona and Theo. Z. Hardie.

MOTIONS.

Mr. Shanahan moved that the hour of recess be extended ten minutes.

So ordered.

Mr. Shanahan moved that the rules be suspended and Assembly Bill No. 936 taken up and read second time.

So ordered.

Assembly Bill No. 936—An Act to provide for the levy and collection of an income tax.

Read second time.

The following committee amendment was submitted:

Amend by striking out all after the enacting clause, and inserting the following:

Section 1. From and after the passage of this Act there shall be assessed, levied, collected, and paid annually, in addition to all taxes now or hereafter provided for by law, upon the gains, profits, and incomes received in the preceding calendar year by every corporation, joint stock association, or joint stock company residing or doing business in this State, whether said gains, profits, or incomes be derived from any kind of property, rents, interest, or dividends from any business done, carried on, or arising in this State, or from any source whatever in this State, a tax of one per centum on the amount so derived on the excess over two thousand dollars to five thousand dollars, one and a half per centum on the excess over five thousand dollars to ten thousand dollars, two per centum on the excess over ten thousand dollars to twenty thousand dollars, and three per centum on the excess over twenty thousand dollars. And a like tax shall be levied, collected, and paid annually upon the gains, profits, and income from all property owned and of every business carried on in this State by corporations, joint stock associations, or joint stock companies residing or having their principal place of business without this State.

Sec. 2. 1 The State Board of Equalization must annually, at the times other assessments are made and levied by said board, assess and levy an income tax to the amount at the rate as in section one of this Act provided upon every corporation, joint stock association, or joint stock company doing business in more than one county or city and county in this State, and upon every corporation, joint stock association, or joint stock company residing or having its principal place of business without this State, and doing business in this State.

2 The County Assessor of each county or city and county must annually assess, and the Board of Supervisors of each county or city and county must annually levy, a

like tax upon every corporation residing in and having its principal place of business in said county or city and county, and doing business only in said county or city and county at the times county or city and county taxes are assessed and levied.

SEC. 3. Every corporation, joint stock association, or joint stock company mentioned in subdivision one of section two of this Act shall make the statement hereinafter required to the State Board of Equalization on or before the first day of April of each calendar year. Every corporation, joint stock association, or joint stock company mentioned in subdivision two of section two shall make said statement to the county or city and county assessor on or before the first day of April of each calendar year.

SEC. 4. Every corporation, joint stock company, or association described in section one of this Act shall make a statement in writing of the gains, profits, and income thereof during the preceding calendar year to the State Board of Equalization or to the Assessor of the county or city and county for the purpose of assessment as provided in section two hereof. Said statement shall be accompanied by the affidavit of the president, secretary, cashier, or managing agent of said corporation, joint stock association, or joint stock company, which affidavit must be substantially as follows:

"I ——, do swear that I am the —— of the corporation (or joint stock company or association, as the case may be) mentioned in the foregoing statement; that the same is a full, true, and correct statement of the gains, profits, and income during the preceding calendar year of the said corporation (or joint stock company or association), derived from any kind of property, rents, interest, or dividends upon any business done, or carried on, or arising in this State, or from any source whatever in this State."

SEC. 5 The profits, gains, and income mentioned in section one of this Act shall for the purpose of taxation be deemed and treated as personal property, and the provisions of title nine, part three, of the Political Code not inconsistent with this Act are hereby made applicable to the return, assessment, and collection of the income tax provided for in this Act.

SEC. 6. The income tax provided for in this Act and assessed under the provisions of subdivision one of section two of this Act shall be paid into the state treasury and become a part of the general fund. The like tax assessed under the provisions of subdivision two of section two of this Act shall be paid into the county treasury and become a part of the general fund of the county.

SEC. 7. This Act shall take effect immediately.

Adopted.

Assembly Bill No. 936 ordered to printer, engrossment, and third reading.

Mr. Shanahan moved to make Assembly Bill No. 936 special order for Thursday, immediately after reading of the Journal.

So ordered.

CONCURRENT RESOLUTION—(OUT OF ORDER).

Mr. North offered the following, and asked it be printed in the Journal.

So ordered.

Resolution welcoming to the State of California the Societies of Christian Endeavor of the World, upon the occasion of their sixteenth annual international convention, to be held in the City of San Francisco, July 7 to 12, 1897.

WHEREAS, The sixteenth International Christian Endeavor convention is to be held in San Francisco, in this State, July 7th to 12th of this year; and

WHEREAS, The Society of Christian Endeavor is an organization embracing over forty-five thousand local societies, with an aggregate membership of over two and one half millions of persons located in the different countries of the world, but principally in the United States of America; and

WHEREAS, A large number of our citizens in public and private life have for a long time past been devoting much time, labor, and money to the end that the convention of 1897 might be secured to our State, and will continue to labor and expend their money and devote their time in order to assure to our visitors a cordial and hospitable welcome; and

WHEREAS, This society is an inter-denominational organization, which has for its object the development of the young in good morals, high character, and to fit them for laudable achievement; and

WHEREAS, It has come to our notice that at the conventions held in sister States within the past few years the attendance has reached as high as fifty thousand persons; and

WHEREAS, The railway associations of the United States have agreed upon rates for transportation to and from the State, on account of this convention of 1897, lower than were ever granted at any previous time, upon any account whatever, which rates of transportation are available to everybody, whether members of the societies or not, and such rates being upon terms that will allow reasonable time for all visitors on that

occasion to not only attend the convention, but also permit them to visit the innumerable points of interest in the State, and

WHEREAS, It is confidently believed by those who have charge of the affairs of the societies and the sessions of the convention that many thousands will visit our State by reason of the holding of the convention of 1897 in California; and

WHEREAS, It is the sense of the Legislature of the State of California that it is but meet and proper that the people of California should welcome to our beloved State the delegates to the convention of 1897, and their accompanying friends, and others drawn here upon this auspicious occasion, from which we must inevitably derive much benefit; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring therein, That the Legislature of the State of California, at its thirty-second session, beginning on the 4th day of January, 1897, does hereby extend to the Societies of Christian Endeavor of the World, and their friends, a cordial welcome to our State upon this the occasion of their sixteenth annual convention, better known throughout the world as "California 1897 Christian Endeavor Convention," and we assure them and their visiting companions that they will find in our people a deep and earnest interest in that moral culture which is elevating and helpful to humanity, and a disposition to aid and encourage those who have already devoted much time and labor to this cause.

While those who will come to California during July next are within our State, we hope they will not fail to visit the many points of interest for which the State is famous, and see for themselves what a goodly heritage is ours; and we especially call their attention to Anno Domini 1601, when the first Christian Endeavor work on the western coast was initiated; where, "twenty years before the pilgrims landed on Plymouth Rock, there was reflected a rude cross in the waters of the Bay of Monterey," which cross was erected by the Spanish padres. We also invite their attention to the early missions at Santa Barbara, Santa Clara, San Luis Obispo, and elsewhere; and to the more modern churches of every denomination in the cities, villages, and hamlets of the State. The material progress of our State from its earliest control by Americans we think is well illustrated by the respective State Capitol buildings—the first erected at Monterey in 1849; the next at San José, 1849-51; the next at Vallejo, 1852-53; the next at Benicia, 1853-54; the next at Sacramento, 1854; the next at Sacramento, 1855-69; then our present magnificent State building

In addition to this evidence of our prosperity, we are proud of the educational development of the State as shown by our great University at Berkeley, adjacent to Oakland and San Francisco, and of the numerous other educational institutions, at the head of which stands the Leland Stanford, Jr., University at Palo Alto, near San José; the State Normal School at Los Angeles, in the south; San José in the center, and Chico in the north, while on Mount Hamilton, near San José, will be found the great Lick Observatory, with its complete astronomical equipment; and thus throughout our State, from "Siskiyou to San Diego, and from the Sierras to the sea," will be found much to attract the eye and satisfy the fancy of those who love the wonderful and beautiful in nature.

In the great Sierra Nevada range will be found the richest gold mines of the world, while in the valleys and plains are located the agricultural, horticultural, and viticultural developments of the State, which are unsurpassed anywhere on the face of the globe

For remarkable topographical features, there will be found Mounts Lowe and Wilson, near Los Angeles; farther north, the world-famed Yosemite Valley and Mount Whitney, while to the north is Mount Shasta, clad in perpetual snows. All of these are easy of access by rail, while, by our fourteen hundred miles of tide-water shore-line, the commerce of the world could be accommodated in a score of places from Del Norte in the northwest to San Diego in the southwest, with Eureka, San Francisco, Oakland, Monterey, Santa Cruz, San Luis Obispo, Santa Barbara, and Los Angeles between. By the inland waters of the State may be reached a hundred cities and towns of greater or less importance, notable among which are Stockton, Sacramento, Marysville, and Red Bluff, and by the same inland waters, and by rail, may be reached the great national navy yard at Mare Island, opposite Vallejo.

In the eastern central portion of the State will be found the location of Sutter's mill, where James W. Marshall discovered gold, from which discovery came the impelling forces which have so materially aided in the development of what is now this great State of California.

With all these and many other attractions for the gratification of the senses, in addition to the benefits to be derived from associations at the convention, it is the belief of the Legislature of the State of California that much good will come to those who will visit us during the convention days, and we feel assured that much benefit will be derived by our own people from the visit of those who will come to us in connection with this memorable occasion.

Therefore, again, we say to our expected guests, whether their stay with us be temporary or permanent, "Welcome, thrice welcome, to California."

MOTION.

Mr. North moved that the reconsideration of Assembly Bill No. 862 be made the special order for to-morrow, at seven o'clock and thirty minutes P. M.

So ordered.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 519—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 853 thereof, relating to absence of certain officers from the State.

Read second time, and ordered on Senate special file.

JOINT RESOLUTION.

By Mr. Belshaw:

ASSEMBLY JOINT RESOLUTION No. 37.

WHEREAS, In the four last sessions of Congress the so-called Pacific Railroad refunding bills have been defeated by your honorable body, in spite of the powerful and unceasing pressure of the great railroad companies and a large portion of the press; and

WHEREAS, A new plan has lately been formulated, to substitute a so-called Commission Bill for the Funding Bill, under the plea that this would be acceptable to the people of the Pacific Coast; and

WHEREAS, This is an error, for the people of the Pacific Coast consider such a commission as most dangerous to their interests and welfare, and to the interests and welfare of the people of the whole United States, and

WHEREAS, The pursuit and collection of the hundreds of millions of dollars involved should not be left to a commission of a few persons, who are entirely occupied with most important federal duties, involving the welfare of this great nation, and who have not the time for such a necessarily protracted investigation, even if Congress granted them the powers and constituted the commission a special court of law; and

WHEREAS, This would be contrary to the provisions of the Constitution of the United States, which divides the powers of the government into the executive, the legislative, and the judiciary departments; and

WHEREAS, The collection of a debt comes clearly under the judiciary department, which has all the machinery for determining equities, searching for and seizing abstracted funds, and has the time needed for a thorough and extended investigation; and

WHEREAS, No reason can be adduced why Congress should set aside the wise provisions of the Constitution, made for the benefit of all the citizens of the nation, rich and poor alike, at the solicitation of wealthy corporations; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That for these reasons, and many others which will undoubtedly develop in a judicial examination, we, the Legislature of the State of California, respectfully pray that no action be taken by the United States Congress in regard to the debt owing by the Pacific Railroads, but that the laws of the land be allowed to take their natural course.

Mr. Belshaw moved that the rules be suspended and the resolution immediately considered.

So ordered.

The question being on the adoption of Assembly Joint Resolution No. 37.

The same was adopted.

RECESS.

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

REASSEMBLED.

The Assembly reassembled at two o'clock and ten minutes P. M.

Speaker Coombs in the chair.

Quorum present.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC WORKS, STATE CAPITOL, AND PARKS

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Assembly Bill No. 748—An Act to provide for the working, dressing, and

carving of stone for public work—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

ENNIS, Chairman.

Assembly Bill No. 748 placed on file for second reading.

SENATE SPECIAL FILE.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Passed on file.

Senate Bill No. 113—An Act to amend Section 685 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.

Senate Bill No. 33—An Act for the certification of land titles, and the simplification of the transfer of real estate.

The question being on the final passage of the bill.

Mr. Price moved that the time of Mr. Hill be extended until he completes his remarks on Senate Bill No. 33.

So ordered.

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

AYES—Messrs. Anderson, Arnerich, Belshaw, Bettman, Boone, Burnham, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Emmons, Ennis, Foreman, Goodhue, Guy, Harris, Hudson, Jones, Keables, Kelly, Kelsey, Lacy, Lindenberger, Malcolm, Mead, Melick, McClellan, McGrath, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Robinson, Sanford, Stansell, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—45.

NOES—Messrs. Aldridge, Allen, Austin, Breiling, Burnett, Caminetti, Canavan, Cartwright, Dolan, Elliott, Gately, Godfrey, Hill, Houghton, Keegan, Landsborough, Mahoney, Mulcrevy, McCandlish, Price, Shanahan, Soward, and Strain—23.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Toland gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 33 was finally passed.

MOTION.

Mr. Anderson moved that the vote by which Senate Bill No. 57 was finally passed be reconsidered.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Cutter, Ennis, and Jones.

So ordered

The question being on the adoption of the motion of Mr. Anderson to reconsider.

The roll was called.

Pending the announcement of the result, Mr. Cutter moved a call of the House.

The same was lost.

The vote was announced, and the motion to reconsider was declared carried by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Boone, Breiling, Burnett, Canavan, Cartwright, Clarke, Dibble, Dolan, Elliott, Emmons, Gately, Godfrey, Goodhue, Henry, Houghton, Kelsey, Lacy, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McGrath, Power of San Francisco, Sanford, Shanahan, Strain, Toland, Treacy, Vosburg, and Mr. Speaker—36.

NOES—Messrs Austin, Belshaw, Bettman, Bridgford, Burnham, Caminetti, Chynoweth, Cross, Cutter, Dennery, Dryden, Ennis, Foreman, Goff, Guy, Hill, Hudson, Jones, Keegan, Landsborough, McClellan, North of Alameda, North of Yolo, Power of Placer, Price, Robinson, Soward, Stansell, Valentine, and Wright—30.

POINT OF ORDER.

Mr. Cutter raised the point of order that forty-one votes are necessary to reconsider.

The Speaker ruled the point not well taken.

Mr. Cutter appealed from the decision of the Chair.

The question being, "Shall the decision of the Speaker stand as the decision of the House?"

The ayes and noes were demanded by Messrs. Cutter, Ennis, and Toland.

The roll was called, and the decision of the Chair sustained by the following vote:

AYES—Messrs Aldridge, Allen, Anderson, Belshaw, Boone, Breiling, Burnett, Canavan, Cartwright, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Jones, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McClellan, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Soward, Strain, Toland, Treacy, Valentine, Vosburg, and Wright—51.

NOES—Messrs. Austin, Bridgford, Burnham, Cutter, Ennis, Hudson, Keegan, North of Alameda, North of Yolo, Robinson, and Stansell—11.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 57—An Act to regulate and govern the operation of the rock-crushing plant at the State Prison at Folsom, to provide for the sale of crushed rock and the disposition of the revenues derived therefrom.

Mr. Cutter moved that further consideration of this bill be made special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

SPECIAL ORDER OF THE DAY.

Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California for the forty-ninth and fiftieth fiscal years.

Mr. Guy moved that the House do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 937.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 937 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 937—An Act making appropriations for the support of the government of the State of California for the forty-ninth and fiftieth fiscal years—and now report progress, and ask leave to sit again.

COOMBS, Chairman

Report adopted.

MESSAGES FROM THE SENATE.

Mr. Dibble moved to take up Senate messages.

So ordered.

SENATE CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 68—An Act relating to pension matters and claims against counties.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Assembly Bill No. 68—An Act relating to pension matters and claims against counties.

Ordered to enrollment.

MOTION.

Mr. Cross moved that the vote by which Assembly Bill No. 438 was finally passed be reconsidered.

Motion lost.

RESOLUTION.

By Mr. Dennery:

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby instructed to purchase, for the use of Assemblyman J. D. Kelsey, one set of latest Pocket Codes, to be paid out of the Contingent Fund of the Assembly, and the Controller is hereby authorized to draw his warrant, and the Treasurer is directed to pay the same.

Adopted.

LEAVE OF ABSENCE.

Mr. Belshaw was granted leave of absence for this evening.

H. F. Peart, Assistant Clerk, was granted leave of absence for this evening.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC WORKS, STATE CAPITOL, AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Senate Bill No. 700—An Act making an appropriation for improvements of Sutter's Fort—have had the same under consideration, and respectfully report the same back, and recommend that it be placed on Senate special file, with recommendation that it do pass, and that Assembly Bills Nos. 880 and 293, on to-day's file, be withdrawn.

ENNIS, Chairman.

RECESS.

At five o'clock and ten minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

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

Quorum present.

LEAVE OF ABSENCE.

Messrs. North of Alameda, North of Yolo, and McClellan were granted leave of absence for this evening.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly reëngrossed:

Assembly Bill No. 727—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 all Acts and parts of Acts in conflict with this Act."

Assembly Bill No. 122—An Act to amend Section 427 of the Political Code, in relation to insurance.

Also: That the following bill has been correctly engrossed: Assembly Bill No. 364—An Act for the relief of district agricultural associations.

AUSTIN, Chairman.

SECOND READING OF BILLS.

Assembly Bill No. 765—An Act making an appropriation to pay the claim of A. W. Rapelye against the State of California.

Read second time.

The following amendment was submitted by the committee:

Amend by striking out Section 3 and renumbering Section 4, Section 3.

Assembly Bill No. 765 ordered to printer and reëngrossment.

Assembly Bill No. 842—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

Read second time.

The following amendments were submitted by Mr. Cross:

On page 3, line 3, Section 5, amend by striking out all after the word "business," down to and including the word "Act," in line 15.

Adopted.

Also: On page 3, Section 6, line 1, amend by striking out the word "five" and inserting the word "three."

Assembly Bill No. 842 ordered to printer, engrossment, and third reading.

Assembly Bill No. 584—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, amended March 14, 1889, also March 17, 1891, also March 31, 1891, also March 9, 1893, and also March 11, 1893.

Read second time.

The following amendment was submitted by Mr. Cutter:

Amend by striking out the enacting clause.

The question being on the motion offered by Mr. Cutter.

The ayes and noes were demanded by Messrs. Caminetti, Toland, and Cutter.

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

AYES—Messrs. Aldridge, Arnerich, Austin, Burnett, Burnham, Chynoweth, Cross, Cutter, Damon, Dennery, Ennis, Foreman, Goff, Goodhue, Guy, Harris, Hill, Jones, Keegan, Leavitt, Melick, Power of Placer, Price, Robinson, Rubell, Sims, Soward, Stansell, and Strain—29.

NOES—Messrs. Allen, Anderson, Caminetti, Canavan, Clarke, Dibble, Dolan, Dryden, Elliott, Emmons, Gately, Henry, Houghton, Mahoney, McCandlish, Sanford, Shanahan, Toland, Treacy, and Mr. Speaker—20.

Assembly Bill No. 787—An Act to amend Section 412 of the Penal Code, relating to boxing or sparring matches, and prize or ring fights.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 156—An Act making an appropriation to pay the claim of Ernest Weyand, District Attorney of Colusa County, for moneys expended in behalf of the State of California for foreclosing State school lands in Colusa County, State of California.

Read second time.

Assembly Bill No. 839—An Act making an appropriation to pay the claim of Marion Pirkey, for moneys advanced to the National Guard of California.

Read second time.

At eight o'clock and fifteen minutes P. M., the Speaker called Mr. Chynoweth to the chair

Assembly Bill No. 498—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children and to prevent and punish wrongs to children," approved March 29, 1878.

Read second time.

The following amendment was submitted by the committee:

The provisions of this section shall not apply to any place of entertainment or amusement which daily advertises its performance in some newspaper or newspapers of general circulation in the county or city and county.

Adopted.

Assembly Bill No. 498 ordered engrossed, to printer, and third reading.

Assembly Bill No. 745—An Act authorizing 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, to issue bonds therefor, and to provide for the payment of the same.

Read second time, and ordered engrossed and to third reading.

On motion of Mr. Valentine, Assembly Bill No. 745 was withdrawn, and Senate Bill No. 441 substituted on the file therefor.

Assembly Bill No. 121—An Act to create and regulate, in any city or city and county in this State, public warehouses, other than warehouses for the storage of grain or wool, and to enforce warehouse liens.

Passed on file to unfinished business.

Assembly Bill No. 790—An Act to amend Section 1576 of the Code of Civil Procedure, relating to the purchase of property of deceased persons by the administrator or executor.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 52—An Act to appropriate $20,000 to furnish an additional water supply to the Mendocino Asylum; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to construct a building for said electric plant; to construct a dam; to purchase an

ice plant and cold-storage system for said asylum; to appropriate money therefor, and provide for the expenditure of the same.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 756—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 218 thereof, relating to train-wrecking and the punishment thereof.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 97—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to mortgages.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 204—An Act relating to the compensation of County Recorders in counties where their compensation is fees instead of 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. Aldridge, Allen, Anderson, Arnerich, Austin, Bettman, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Foreman, Goff, Goodhue, Guy, Henry, Hudson, Jones, Keegan, Kelsey, Kenyon, Leavitt, Lindenberger, Mahoney, Mead, Melick, Pohlmann, Power of Placer, Robinson, Rubell, Shanahan, Soward, Strain, Toland, Valentine, Vosburg, and Mr. Speaker—48.

NOES—Messrs. Gately and McGrath—2.

Title read and approved.

Assembly Bill No. 656—An Act providing for the furnishing to Sheriffs and Chiefs of Police of certain information, descriptions, and photographs of convicts about to be discharged by the Wardens of State prisons.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 824—An Act to empower the Common Council, Board of Trustees, Board of Supervisors, or other legislative or governing body of cities, or cities and counties, having a population of over one hundred thousand, to pension the widows of firemen.

Read second time.

The following amendments were submitted:

Amend the printed bill as follows:

Section 1, line 6, insert after the word "widow" the following: "or if there be no widow, then to the minor, if any."

Section 2, line 1, strike out the word "shall" and insert in lieu thereof the word "may."

Section 2, line 2, insert after the word "widowhood" the following: "or to such minors during minority"

Adopted.

Assembly Bill No. 824 ordered to printer, engrossment, and third reading.

Assembly Bill No. 911—An Act to amend Section 385 of the Political Code, relating to the salary of the Private Secretary of the Governor.

On motion of Mr. Price, Assembly Bill No. 911 was withdrawn, and Assembly Bill No. 909 substituted on the file therefor.

Assembly Bill No. 909—An Act to amend Section 2 of an Act to organize and define the powers of the Board of Railroad Commissioners, approved April 15, 1880.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 700—An Act to amend Section 53 of the Code of Civil Procedure of the State of California.

Read second time.

Amendments pending.

Mr. Dibble moved that the bill be passed to unfinished-business file.

So ordered.

Assembly Bill No. 739—An Act to amend Section 199 of the Code of Civil Procedure, relative to the disqualification of jurors.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Anderson, Arnerich, Austin, Bettman, Breiling, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Jones, Keegan, Kelsey, Kenyon, Leavitt, Mead, Mulcrevy, McCandlish, Power of Placer, Price, Robinson, Rubell, Sanford, Sims, Toland, and Wright—46.

NOES—Messrs. Bridgford, Burnett, Foreman, Lindenberger, Melick, Shanahan, Soward, Strain, Valentine, and Vosburg—10.

Title read and approved.

Assembly Bill No. 325—An Act to provide for the completion and equipment of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California, and to make an appropriation therefor.

Read second time.

At nine o'clock and fifteen minutes P. M., Speaker Coombs resumed the chair.

Assembly Bill No. 632—An Act to provide for the organization and management of county fire insurance companies. (Substitute for Assembly Bill No. 142.)

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Bettman, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Guy, Harris, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kenyon, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, Pohlmann, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Toland, Treacy, Valentine, and Vosburg—58.

NOES—Mr. Wright—1.

Title read and approved.

Assembly Bill No. 144—An Act to secure the payment of the claims of materialmen, mechanics, or laborers employed by contractors upon State, municipal, or other public 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. Aldridge, Allen, Anderson, Bettman, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kenyon, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, Pohlmann, Power of Placer, Price, Robinson, Rubell, Sanford, Soward, Strain, Toland, Treacy, Valentine, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Bill No. 175—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County

of Los Angeles, and State of California, and to make an appropriation therefor.

On motion of Mr. Vosburg, Assembly Bill No. 175 was withdrawn and Senate Bill No. 4 substituted on the file therefor.

Senate Bill No. 4—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, and State of California, and to make an appropriation therefor.

Read second time.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Senate Bill No. 118—An Act to appropriate $20,000 to furnish an additional water supply to the Mendocino Asylum; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to construct a building for said electric plant; to construct a dam; to purchase an ice plant and cold-storage system for said asylum; to appropriate money therefor and provide for the expenditure of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MALCOLM, Chairman.

Senate Bill No. 118—An Act to appropriate $20,000 to furnish an additional water supply to the Mendocino Asylum; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to construct a building for said electric plant; to construct a dam; to purchase an ice plant and cold-storage system for said asylum; to appropriate money therefor and provide for the expenditure of the same.

Read second time.

Mr. Guy moved that the House do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 765, 156, 839, and 325, and Senate Bills Nos. 118 and 4.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bills Nos. 765, 156, 839, and 325, and Senate Bills Nos. 118 and 4, were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 765—An Act making an appropriation to pay the claim of A. W. Rapelye against the State of California.

Also: Assembly Bill No. 156—An Act making an appropriation to pay the claim of Ernest Weyand, District Attorney of Colusa County, for moneys expended in behalf of the State of California for foreclosing State school lands in Colusa County, State of California.

Also: Assembly Bill No. 839—An Act making an appropriation to pay the claim of Marion Pirkey, for moneys advanced to the National Guard of California.

Also: Assembly Bill No. 325—An Act to provide for the completion and equipment of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California, and to make an appropriation therefor.

Also: Senate Bill No. 4—An Act to provide for additional improvements at the

Whittier State School, located at Whittier, in the County of Los Angeles, and State of California, and to make an appropriation therefor.

Also: Senate Bill No. 118—An Act to appropriate $20,000 to furnish an additional water supply to the Mendocino Asylum; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to construct a building for said electric plant; to construct a dam; to purchase an ice plant and cold-storage system for said asylum; to appropriate money therefor and provide for the expenditure of the same.

And now report the same back to the House, and recommend that the same do pass.

COOMBS, Chairman.

RESOLUTION—(CASES OF URGENCY).

By Mr. Cutter:

Resolved, That Assembly Bills Nos. 765, 787, 156, 839, 790, 756, 97, 656, 909, 325, 504, and Senate Bills Nos. 4, 118, 441, and each of them, present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the third time and placed upon their passage.

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

AYES—Messrs Aldridge, Allen, Anderson, Arnerich, Bettman, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Cutter, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Godfrey, Golf, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Leavitt, Lindenberger, Mahoney, Mead, Melick, McCandlish, Pohlmann, Power of Placer, Price, Robinson, Sanford, Shanahan, Soward, Strain, Toland, Valentine, Vosburg, and Wright—51.

NOES—Messrs. Mulcrevy, Rubell, and Mr. Speaker—3.

MOTIONS.

Mr. Dibble moved that the bills included in the resolution of urgency be considered at the evening session to-morrow.

Mr. Caminetti moved to amend, and place the bills on unfinished-business file.

Motion lost.

Motion of Mr. Dibble carried.

Mr. Mulcrevy moved that the third-reading file be made the special order for to-morrow evening, immediately after the consideration of bills already made special order.

So ordered.

MESSAGES FROM THE SENATE.

Mr. Dibble moved to call up Senate messages.

So ordered.

SENATE CHAMBER, SACRAMENTO, March 2, 1897

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Concurrent Resolution No. 10—Relative to abrogation of Joint Rules XL, XLVIII, and XLIX.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

SENATE CONCURRENT RESOLUTION No. 10.

Resolved by the Senate, the Assembly concurring, That Joint Rules XL, XLVIII, and XLIX be and they are hereby suspended for the remainder of this session.

Adopted.

MOTION.

Mr. Arnerich moved that Senate Bill No. 489 be re-referred to the Committee on Agriculture, and retain its place on file.

So ordered.

ADJOURNMENT.

At ten o'clock and five minutes P. M., on motion of Mr. Wright, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 3, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Boone, Breiling, Bridgford, Burnett, Burnham, Canavan, Cartwright, Chynoweth, Clarke, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Foreman, Goff, Godfrey, Goodhue, Guy, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, Moultrie, McCandlish, McClellan, McGrath, North of Alameda, North of Yolo. Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

LEAVE OF ABSENCE.

Messrs. Malcolm and Cross were granted leave of absence for the day.

Mr. Bridgford was excused for absence on Monday morning.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of March 1st was approved.

SPECIAL ORDERS.

Assembly Bill No. 872—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State.

Mr. North moved that the bill be sent to printer and printed with proposed amendment, and that it be made special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

Senate Bill No. 57—An Act to regulate and govern the operation of the rock-crushing plant at the State Prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom.

Mr. Anderson moved to appoint a select committee of one to amend as follows:

Strike out of Section 4, line 6, the word "thirty," and insert the following: "thirty-five."

PREVIOUS QUESTION.

Mr. Cutter moved the previous question, seconded by Messrs. Guy and Hill.

The ayes and noes were demanded by Messrs. Shanahan, Leavitt, and Breiling.

The question being on the motion to appoint a select committee.

The roll was called.

Pending the announcement of the result, Mr. Cutter moved a call of the House.

The ayes and noes were demanded by Messrs. Emmons, Breiling, and Anderson.

The roll was called, and the call of the House refused by the following vote:

AYES—Messrs. Austin, Belshaw, Bettman, Bridgford, Burnham, Cartwright, Chynoweth, Cutter, Dennery, Ennis, Fontana, Foreman, Guy, Hill, Keables, Keegan, Kelsey, Kenyon, Landsborough, Moultrie, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Sims, Soward, Stansell, Valentine, Vosburg, Wright, and Mr. Speaker—34.

NOES—Messrs. Aldridge, Allen, Anderson, Boone, Breiling, Burnett, Caminetti, Canavan, Clarke, Dibble, Dolan, Dryden, Elliott, Emmons, Godfrey, Goodhue, Harris, Henry, Houghton, Hudson, Jones, Lacy, Leavitt, Lindenberger, Mahoney, Mead, Melick, McCandlish, McClellan, McGrath, Power of San Francisco, Ryan, Sanford, Shanahan, Strain, Toland, and Treacy—37.

The result of the roll call was announced, and Mr. Anderson's motion to appoint select committee to amend carried by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Boone, Breiling, Burnett, Caminetti, Canavan, Clarke, Dibble, Dolan, Elliott, Emmons, Godfrey, Goodhue, Harris, Henry, Houghton, Hudson, Jones, Lacy, Leavitt, Lindenberger, Mahoney, Mead, Melick, McCandlish, McClellan, McGrath, Power of San Francisco, Ryan, Sanford, Shanahan, Strain, Toland, Treacy, Vosburg, and Mr. Speaker—38.

NOES—Messrs. Austin, Belshaw, Bridgford, Burnham, Cartwright, Chynoweth, Cutter, Dennery, Dryden, Ennis, Fontana, Foreman, Guy, Hill, Keables, Keegan, Kelsey, Kenyon, Landsborough, Moultrie, North of Alameda, North of Yolo, Pohlmann, Price, Robinson, Rubell, Sims, Soward, Stansell, Valentine, and Wright—31.

Mr. Anderson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 57—An Act to regulate and govern the operation of the rock-crushing plant at the State Prison at Folsom, to provide for the sale of crushed rock, and the disposition of the revenues derived therefrom, 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.

ANDERSON, Committee.

The question being on the adoption of the report of the select committee.

The ayes and noes were demanded by Messrs. Valentine, Emmons, and Cutter.

The roll was called, and the report rejected by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Boone, Breiling, Burnett, Caminetti, Canavan, Clarke, Dibble, Dolan, Elliott, Emmons, Godfrey, Goodhue, Harris, Henry, Houghton, Hudson, Jones, Lacy, Leavitt, Lindenberger, Mahoney, Melick, McCandlish, McGrath, Power of San Francisco, Ryan, Sanford, Shanahan, Strain, Toland, Treacy, and Mr. Speaker—35.

NOES—Messrs. Austin, Belshaw, Bettman, Bridgford, Burnham, Cartwright, Chynoweth, Cutter, Dennery, Dryden, Ennis, Fontana, Foreman, Goff, Guy, Hill, Keables, Keegan, Kelsey, Kenyon, Landsborough, Moultrie, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Sims, Soward, Stansell, Valentine, Vosburg, and Wright—36.

The question now recurring on the final passage of the bill.

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

AYES—Messrs Arnerich, Austin, Belshaw, Bettman, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cutter, Dennery, Dryden, Elliott, Ennis, Fontana, Foreman, Goff, Guy, Hill, Hudson, Keables, Keegan, Kelsey, Kenyon, Lacy,

Landsborough, Leavitt, Lindenberger, Melick, Moultrie, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Sanford, Sims, Soward, Stansell, Strain, Toland, Valentine, Vosburg, and Wright—49

NOES—Messrs. Aldridge, Allen, Anderson, Boone, Breiling, Canavan, Dibble, Dolan, Emmons, Godfrey, Goodhue, Harris, Henry, Jones, Mahoney, McCandlish, McGrath, Power of San Francisco, Ryan, Shanahan, Treacy, and Mr. Speaker—22.

Title read and approved.

Senate Bill No. 57 ordered transmitted to the Senate.

Assembly Bill No. 727—An Act entitled an Act to form agricultural districts, to provide for formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal all Acts and parts of Acts in conflict with this Act.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Arnerich, Austin, Bettman, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Clarke, Cutter, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Godfrey, Goff, Guy, Harris, Henry, Jones, Keables, Keegan, Kelsey, Kenyon, Landsborough, Leavitt, Moultrie, North of Yolo, Pohlmann, Power of Placer, Price, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Wright, and Mr Speaker—48.

NOES—Messrs. Allen, Anderson, Boone, Hill, Hudson, Lacy, Lindenberger, Mahoney, Mead, Melick, McCandlish, McClellan, Power of San Francisco, Rubell, Toland, and Treacy—16

Title read and approved.

Senate Bill No. 519—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 853 thereof, relating to absence of certain officers from 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. Aldridge, Allen, Anderson, Arnerich, Austin, Bettman, Boone, Breiling, Burnett, Burnham, Caminetti, Canavan, Cartwright, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Fontana, Foreman, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Kelsey, Kenyon, Lacy, Leavitt, Lindenberger, Melick, Moultrie, Mulcrevy, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Sanford, Sims, Stansell, Strain, Toland, Treacy, Vosburg, Wright, and Mr. Speaker—55

NOES—Messrs. Landsborough and Mead—2.

Title read and approved.

Senate Bill No. 136—An Act to establish a uniform system of county and township governments.

Mr. Price moved that Senate Bill No. 136 be ordered to printer before being read second time, with instruction to print the bill with the proposed amendments inclosed in brackets.

So ordered.

MOTIONS.

Mr. Cutter moved to reconsider the vote whereby Assembly Bill No. 327 was finally passed, and that the consideration of the same be made a special order for next Friday.

The question being on making the motion to reconsider a special order for next Friday.

Lost.

The question being on the motion to reconsider.

Lost.

Mr. Dibble moved that the rules be suspended, and Assembly Concurrent Resolution No. 8 be made a special order for Friday, March 12th.

Mr. Belshaw moved to amend, and refer the resolution to Committee on Rules and Regulations.

Mr. Dibble accepted the amendment.

Motion, as amended, adopted.

PETITIONS.

The following petitions were presented:

By Mr. Soward: Petition from citizens of Lassen County, asking for the resubmission of the constitutional amendment relative to woman suffrage.

Referred to Committee on Constitutional Amendments.

By Mr. Austin: Petition from about one hundred and sixty citizens of San Joaquin County, relative to the sale of liquor in corner grocery stores.

Referred to Committee on Public Morals.

By Mr. Shanahan: Petition from citizens of Shasta County, asking for the resubmission of the constitutional amendment relative to woman suffrage.

Referred to Committee on Constitutional Amendments.

Also: Petition from citizens of Modoc County, relative to the sale of liquor in corner grocery stores.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

ON COUNTY AND TOWNSHIP GOVERNMENTS

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 737—An Act to amend an Act entitled "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," approved March 26, 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. 893—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—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. 516—An Act to amend an Act entitled "An Act to authorize the Board of Supervisors or other governing authority of the several counties, cities and counties, cities, and towns of the State, to provide pensions or benefits for the relief of aged, infirm, or disabled firemen," approved March 11, 1889—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the bill

Also: Assembly Bill No. 956—An Act relating to the disqualification of District Attorneys in certain cases.

Also: Assembly Bill No. 705—An Act to regulate the issuance of licenses by municipalities and counties.

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

BURNHAM, Chairman.

Assembly Bills Nos. 737, 956, and 705 placed on file for second reading.

Assembly Bill No. 893 referred to Committee on Municipal Corporations.

Assembly Bill No. 516 withdrawn by author.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897.

MR SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No 898—An Act authorizing the Regents of the State University to make experiments in inoculating animals with disease to promote their extermination—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No 974—An Act to protect the public health in regard to the canning of foods

Also: Assembly Bill No. 846—An Act to regulate the sale of proprietary medicines, bitters, and tonics

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

Also: Assembly Bill No 930—An Act to provide for the establishing and maintaining of public lights in sanitary districts.

Also: Senate Bill No. 348—An Act prohibiting the establishing, locating, placing, or maintaining any hospital, sanitarium, building, or other structure used, or intended to be used, for the reception, care, or treatment of any person or persons afflicted with any contagious or infectious disease, within three thousand feet of any lake, pond, river, creek, ditch, or river

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

KEABLES, Chairman.

Assembly Bills Nos. 898, 974, 846, and 930, and Senate Bill No. 348, placed on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Substitute for Senate Bill No. 182—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products, as to their sanitary condition, and as to the health of dairy animals, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to dairy stock, and to appropriate money therefor.

Also: Assembly Bill No. 612—An Act to provide for the construction of a free wagon road from the Mono Lake basin to connect with a road called "Tioga Road," at or near the Tioga Mine.

Also: Assembly Bill No. 948—An Act for the relief of John Mullan, and to appropriate money therefor.

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

GUY, Chairman.

Substitute for Senate Bill No. 182 placed on file for second reading.

Assembly Bill No. 612—An Act to provide for the construction of a free wagon road from Mono Lake basin to connect with a road called "Tioga Road," at or near the Tioga Mine.

Placed on file for second reading.

Assembly Bill No. 948 placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1897.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 513—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, 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.

GUY, Chairman.

Assembly Bill No. 513—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor.

Placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 798—An Act to pay the claim of the County of Monterey, and making an appropriation therefor

Also: Assembly Bill No. 874—An Act to pay the claim of the County of Santa Clara, and making an appropriation therefor.

Also: Assembly Bill No. 913—An Act to pay the claim of the County of Tehama, and making an appropriation therefor.

Also: Assembly Bill No. 914—An Act to pay the claim of the County of Napa, and making an appropriation therefor.

Also: Senate Bill No. 260—An Act to provide for the purchase of a portrait of Ex-Governor John McDougall, by the State Board of Examiners, and to appropriate money therefor.

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

GUY, Chairman.

Assembly Bills Nos. 798, 874, 913, and 914, and Senate Bill No. 260, placed on file for second reading.

ON PUBLIC BUILDINGS AND GROUNDS

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1897

MR SPEAKER: Your Sub-Committee on Public Buildings and Grounds, to whom was referred Senate Bill No. 288—An Act to provide for the completion and equipment of the Industrial Home of Mechanical Trades for the Adult Blind of 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, and be substituted on the file for Assembly Bills Nos. 325 and 523.

WRIGHT, Chairman

So ordered.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1897

MR SPEAKER: Your Committee on Public Buildings and Grounds beg leave to report, in conformity with resolution duly adopted, that we visited the Deaf, Dumb, and Blind Asylum at Berkeley, and now present our account for expenses, as follows.

Timothy E. Treacy	$16 00
E. F. Lacy	16 00

WRIGHT, Chairman.

Referred to Committee on Commissions, Retrenchment, and Public Expenditures.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1897.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 494—An Act to amend Sections 354, 1489, 1491, 1492, 1495, 1497, 1501, 1503, and 1505, and to repeal Sections 1504 and 1506 of the Political Code, relating to State Normal Schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ROBINSON, Chairman.

Senate Bill No. 494 placed on file for second reading.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897.

MR SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No 4—An Act to protect all citizens in their civil and legal rights.

Also: Assembly Bill No. 459—An Act to amend Section 939 of the Code of Civil Procedure.

And presented the same to the Governor on this day, at eleven o'clock and thirty minutes A M.

Also: Assembly Bill No. 65—An Act establishing a State Normal School in San Diego County, California, and making an appropriation of $75,000 therefor.

Also: Assembly Bill No. 495—An Act relative to the granting by municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles

And presented the same to the Governor on this day, at three o'clock and fifty minutes P. M.

Also: Assembly Bill No. 104—An Act to amend an Act entitled "An Act to create and organize the University of California," approved March 23, 1868, approved March 28, 1872, amendatory of Section 25 thereof, relating to the construction of buildings.

Also: Assembly Bill No. 396—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing body, and repealing conflicting Acts

Also: Assembly Bill No. 460—An Act to amend Section 943 of the Code of Civil Procedure

Also: Assembly Bill No. 622—An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State Home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State

Also: Assembly Bill No. 139—An Act relating to fire departments of municipalities of the first class, and fixing the salaries of offices thereof

Also: Assembly Bill No. 173—An Act to add a new section to the Penal Code of the State of California, to be known and designated as Section 180, relating to the acceptance and holding of private deposits of moneys or other valuables in the county treasury by the County Treasurer.

Also: Assembly Bill No. 23—An Act entitled an Act to amend Section 1575 of the Code of Civil Procedure.

And presented the same to the Governor on this day, at two o'clock and fifty minutes P. M.

HENRY, Acting Chairman

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1897.

MR. SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Senate Bill No 372—An Act to amend Sections 1254 and 1257 of the Code of Civil Procedure, relating to the right of eminent domain—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

DIBBLE, Chairman.

Senate Bill No. 372 placed on file for second reading.

ON PUBLIC LANDS AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER: Your Committee on Public Lands and Forestry, to whom was referred Senate Bill No. 620—An Act making an appropriation to pay for the repairs and construction of buildings in Yosemite Valley, and for the improvement of the valley—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HARRIS, Chairman

Senate Bill No. 620 placed on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1897.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 10—An Act providing for the improvement and construction of sidewalks outside 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—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on County and Township Governments.

WAYMIRE, Chairman.

So ordered.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 952—An Act to amend an Act entitled "An Act to create the County of Ventura, to establish the boundaries thereof, and to provide for its organization," approved March 22, 1872, by amending Section 2 thereof, so as to include the whole of the Rancho Conejo within the County of Ventura—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HUDSON, Chairman.

Assembly Bill No. 952 placed on file for second reading.

ON FRUIT AND VINE INTERESTS

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1897.

MR SPEAKER: Your Committee on Fruit and Vine Interests, to whom was referred Senate Bill No 689—An Act to promote the horticultural interests of the State by providing County Boards of Horticulture, and repealing the Act entitled "An Act to protect and promote the horticultural interests of the State," approved March 14, 1881, and certain Acts amendatory thereof, approved March 19, 1889, and March 31, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

ANDERSON, Chairman.

Senate Bill No. 689 placed on file for second reading.

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1897.

MR. SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for $61 50 in favor of W. O. Banks, Sergeant-at-Arms of Assembly, from the Contingent Fund of the Assembly, to pay for articles as per attached bill:

State of California to John Breuner, Dr.

February 19—Twenty yards carpet	$20 00
Two office chairs, at $9	18 00
Repairing three desks and two chairs	5 50
Two office chairs, at $9	18 00
	$61 50

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

MELICK, Chairman.

Adopted.

OMAHA EXPOSITION.

Mr. Valentine announced the presence of representatives from Omaha, in the interests of the Omaha Exposition, and moved that they be allowed to address the Assembly.

So ordered.

Mr. Hitchcock and Judge Webster addressed the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897

MR SPEAKER: Your Committee on Ways and Means beg leave to submit the following report for the week ending Saturday, February 27, 1897:

Bills received since last report:

February 23, Assembly Bill No 727—Forming agricultural districts	$118,000 00
February 23, Senate Bill No. 524—For marking monuments on eastern boundary of State	15,000 00
February 24, Assembly Bill No. 928—For Hamburg Exposition	6,000 00
February 25, Assembly Bill No. 880—Repairs to Sutter's Fort and grounds	4,000 00
February 25, Assembly Bill No 932—Claim of Charles W Metcalf	270 00
February 25, Assembly Bill No. 942—Appointment of clerk to Adjutant-General	1,500 00
February 25, Senate Bill No 362—Appointment of clerk to Secretary of State	200 00
February 26, Assembly Bill No. 450—Claim of Ira H Locey and Henry Locey	352 50
February 26, Senate Bill No. 182—Inspection of dairies, creameries, etc	22,500 00
February 26, Senate Bill No. 90—For relief of district agricultural associations	75,000 00
February 26, Senate Bill No. 523—For support of orphans, half orphans, etc	
Total	$252,322 50

Bills reported back favorably.

February 24, Assembly Bill No 325—Building for Home for Adult Blind	$30,000 00
February 24, Senate Bill No 155—Establishing a commission for the promotion of uniformity of legislation	1,000 00
February 26, Assembly Bill No. 717—Claim of George H. Tay Company	400 00
February 26, Assembly Bill No 942—Clerk for Adjutant-General	1,500 00
February 26, Assembly Bill—Claim of the Southern Pacific Company	6,025 34
February 26, Assembly Bill—Claim of Charles W. Metcalf	270 00
February 26, Assembly Bill No. 880—Repairs to Sutter's Fort and grounds	4,000 00
February 26, Senate Bill No. 362—Appointment of clerk to Secretary of State	200 00
February 26, Assembly Bill No 851—For furnishing a ward building for the Southern California State Asylum	7,000 00
Total	$50,395 34

Referred back without recommendation:

February 24, Assembly Bill No. 582—Dredging Humboldt Bay	$50,000 00
February 24, Assembly Bill No. 320—To pay experts and the costs and expenses of the Southern Pacific Company vs. Railroad Commissioners law suit	30,000 00
Total	$80,000 00

Referred to other committees:

February 26, Concurrent Resolution No. 7—Examining sites for the foundation of a new State prison	$5,000 00
February 26, Assembly Bill No 593—Support of orphans, half orphans, etc	
February 26, Assembly Bill No. 913—Claim of Tehama County	4,853 50
February 26, Assembly Bill No. 914—Claim of Napa County	8,219 90
Total	$18,073 40

Recapitulation.

Total appropriations referred to this committee to date	$3,797,013 64
Total appropriations reported back favorably	1,080,549 53
Total appropriations reported back unfavorably	395,830 40
Referred to other committees	18,073 40
Reported back without recommendation	80,000 00
Amount of bills withdrawn	720,016 97
Amount reduced by committee amendments	77,416 95
Total appropriations remaining in committee	1,525,126 39

Respectfully submitted.

GUY, Chairman.

REPORT OF COMMITTEE ON CONFERENCE.

SACRAMENTO, March 2, 1897.

MR SPEAKER: The undersigned, the conference committee appointed on the part of the Assembly to meet a like committee appointed by the Senate with reference to the disagreement between the two houses upon Assembly Bill No 742, respectfully report that the Assembly do concur in the following Senate amendments:

SENATE AMENDMENT No. 2.

Strike out of Section 2, line 4, the words "three hundred dollars per month" and insert the following instead: "ten dollars per day."

SENATE AMENDMENT No. 3.

Strike out of Section 2 the words "such traveling expenses."

SENATE AMENDMENT No. 8.

Amend Section 5 by striking out from lines 4 and 5, printed bill, the words "excepting the salaries of said commissioner and said secretary."

The Senate having receded from Senate Amendment No. 9, as follows:

Amend Section 6 by striking out the whole thereof and inserting instead thereof the following: "Section 6 of said Act is hereby repealed."

The committee therefore respectfully recommend that the Assembly reconsider their action and concur in Amendments Nos 2, 3, and 8, and renumber Section 7 Section 6.

VOORHEIS,
PRISK,
CHAPMAN,
Senate Committee.

SOWARD,
CAMINETTI,
CUTTER,
Assembly Committee.

RECONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL No. 742.

Assembly Bill No. 742—An Act to amend 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 directions in the discharge of his duties as such commissioner," approved March 24, 1893. (Substitute for Assembly Bill No. 83.)

Mr. Soward moved to reconsider the vote whereby the Assembly refused to concur in Senate amendments Nos. 2, 3, and 8.

So ordered.

AMENDMENT No. 2.

Strike out of Section 2, line 4, the words "three hundred dollars per month," and insert the following instead: "ten dollars per day."

AMENDMENT No. 3.

Strike out of Section 2, line 6, the words "such traveling expenses."

AMENDMENT No. 8.

Amend Section 5 by striking out from lines 4 and 5, printed bill, the words "excepting the salaries of said commissioner and said secretary."

The question being, "Shall the Assembly concur in Senate Amendments Nos. 2, 3, and 8 to Assembly Bill No. 742?"

The roll was called, and the Assembly concurred in Senate Amendments Nos. 2, 3, and 8 to Assembly Bill No. 742 by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Burnett, Burnham, Caminetti, Cartwright, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Goff, Goodhue, Henry, Hill, Houghton, Hudson, Keables, Kenyon, Landsborough, Lindenberger, Mahoney, Mead, McCandlish, Power of Placer, Power of San Francisco, Rubell, Shanahan, Soward, Strain, Valentine, Vosburg, Waymire, and Mr. Speaker—43.

NOES—Messrs. Arnerich, Boone, Chynoweth, Gately, Lacy, Melick, McClellan, and Treacy—8.

The question being on the adoption of the report of the committee on conference. The same was adopted.

Assembly Bill No. 742 ordered to enrollment.

RECESS.

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

REASSEMBLED.

The Assembly reassembled at two o'clock and twenty minutes P. M.

Speaker Coombs in the chair.

Quorum present.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 2, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 30, relative to advocating the passage of the California Mineral Lands Bill.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Assembly Joint Resolution No. 30 ordered to enrollment.

RESOLUTION.

By Mr. Austin:

Resolved, That the Chairman of the Committee on State Prisons and Reformatory Institutions be instructed to return immediately to the Assembly Senate Bill No. 56.

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

MR. SPEAKER. I herewith return Senate Bill No. 56, in accordance with the instructions of the House.

CANAVAN, Chairman.

Senate Bill No. 56—An Act to provide for the purchase of additional lands, and improving the same, at the Folsom State Prison, and making an appropriation therefor.

Senate Bill No. 56 re-referred to Committee on Ways and Means.

MOTION.

Mr. North moved that the following bills be made special orders for Friday, immediately after reading of the Journal:

Assembly Bill No. 875—An Act to create a commission for the purpose of examining, testing, and investigating voting machines, and reporting to the Legislature at its thirty-third session the result of such investigation, and making an appropriation for the expenses of such commission.

Senate Bill No. 463—An Act to amend Section 1114 of the Political Code of the State of California, relating to registration.

Assembly Bill No. 354—An Act entitled an Act to amend Section 1196 of the Political Code, relating to elections.

Assembly Bill No. 178—An Act to amend Sections 1204 and 1230 of the Political Code of the State of California, relating to precinct registration and challenging of voters.

Assembly Bill No. 973—An Act to amend Section 1094 of the Political Code.

Senate Bill No. 351—An Act entitled an Act to amend Section 1196 of the Political Code, relating to elections.

Senate Bill No. 484—An Act to amend Section 1239 of the Political Code, relating to rules for determining question of residence.

Motion lost.

Senate Bill No. 136 was ordered committed to the Committee on County and Township Governments, in order that said committee prepare copy for the printer in conformity with the order heretofore made to have the bill printed with amendments.

SENATE SPECIAL FILE.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Passed on file.

Senate Bill No. 113—An Act to amend Section 685 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.

Senate Bill No. 260—An Act to provide for the purchase of a portrait of ex-Governor John McDougall, by the State Board of Examiners, and to appropriate money therefor.

Passed on file.

Senate Bill No. 105—An Act relating to pawnbrokers, companies and corporations doing business as such, prescribing their duties and obligations, and also prescribing penalties for the violation of any of 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 refused final passage by the following vote:

AYES—Messrs. Allen, Burnett, Burnham, Canavan, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Harris Hill, Jones, Keables, Keegan, Kenyon, Lacy, Landsborough, Mahoney, Mulcrevy, McGrath, Power of San Francisco, Price, Rubell, Ryan, Shanahan, Sims, Soward, Stansell, Treacy, Waymire, Wright, and Mr. Speaker—40.

NOES—Messrs. Aldridge, Anderson, Austin, Belshaw, Bettman, Boone, Caminetti, Cartwright, Dryden, Elliott, Henry, Houghton, Hudson, Kelly, Mead, Melick, McCandlish, McClellan, North of Alameda, Power of Placer, Sanford, Strain, Toland, Valentine, and Vosburg—25.

MOTION.

Mr. Kenyon moved that Senate Bill No. 1 be taken up out of order and considered at this time.

So ordered.

Senate Bill No. 1—An Act to amend an Act to enable school districts in cities of the fifth class to issue bonds, and to repeal an Act to enable cities of the fifth class to issue bonds for school purposes, approved March 23, 1893.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Burnett, Caminetti, Canavan, Cartwright, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Goff, Harris, Henry, Hill, Houghton, Hudson, Jones, Kelsey, Kenyon, Landsborough, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Yolo, Power of Placer, Power of San Francisco, Rubell, Ryan, Sanford, Sims, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr Speaker—50.

NOES—Mr. Dolan—1

Title read and approved.

In conformity with his notice given on yesterday, Mr. Toland moved to reconsider the vote whereby Senate Bill No. 33 was on yesterday finally passed.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. North, Guy, and Wright.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the motion of Mr. Toland to reconsider.

The ayes and noes were demanded by Messrs. Toland, Caminetti, and Mead.

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

AYES—Messrs. Aldridge, Allen, Austin, Breiling, Burnett, Caminetti, Canavan, Cartwright, Dolan, Dryden, Elliott, Gately, Godfrey, Hill, Houghton, Landsborough, Mahoney, Moultrie, Mulcrevy, McCandlish, McClellan, McGrath, Price, Rubell, Sanford, Soward, and Toland—27.

NOES—Messrs. Anderson, Arnerich, Belshaw, Bettman, Boone, Bridgford, Burnham, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Emmons, Ennis, Foreman,

Goff, Goodhue, Guy, Harris, Hudson, Jones, Keables, Kelsey, Kenyon, Lacy, Lindenberger, Mead, Melick, North of Alameda, North of Yolo, Power of Placer, Robinson, Sims, Stansell, Strain, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—42.

SPECIAL ORDER.

Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California for the forty-ninth and fiftieth fiscal years.

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. 937.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 937 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California for the forty-ninth and fiftieth fiscal years—and now report progress, and ask leave to sit again.

COOMBS, Chairman.

MESSAGES FROM THE SENATE.

Mr. Soward moved that the Assembly now take up Senate messages.

So ordered.

SENATE CHAMBER, SACRAMENTO, March 3, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the conference committee appointed to consider Senate amendments to Assembly Bill No. 742, thereby receding from Senate Amendment No. 9 to said bill.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Assembly Bill No. 742 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, on motion of Senator Seawell, withdrew from the special Assembly file Assembly Bill No. 57, and the same is herewith transmitted to your honorable body.

Also: On March 2d, amended, and passed as amended, Assembly Bill No. 14—An Act to amend Section 2995 of the Civil Code of California, respecting the mortgaging of personal property.

Also: Assembly Bill No. 454—An Act to amend Section 1 of an Act entitled "An Act for the further protection of stockholders in mining companies," approved April 23, 1880.

Also: Assembly Bill No. 26—An Act to amend Section 15 of an Act entitled an Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State, by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867," approved March 30, 1868.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Assembly Bills Nos. 14, 454, and 26 ordered placed on unfinished-business file.

Also:

SENATE CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 389—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Also: Substitute for Senate Bill No 419—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor.

Also: Amended, and passed as amended, Assembly Bill No. 706—An Act authorizing the Clerk of the Supreme Court to furnish his office, and make an appropriation therefor.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 389—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Read first time, and ordered on Senate special file.

Substitute for Senate Bill No. 419—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor.

Read first time, and ordered on Senate special file.

Assembly Bill No. 706 ordered on unfinished-business file.

Also:

SENATE CHAMBER, SACRAMENTO, March 2, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate herewith returns to the Assembly, Assembly Bill No. 187, as per your request of this date.

Also: On the 2d day of March passed Assembly Bill No 304—An Act to provide for the appointment of an auditing board to the Commissioner of Public Works, and making an appropriation therefor.

Also: On this day refused passage to Assembly Bill No 114—An Act to provide for the publication of the State Blue Book, or Roster.

Also: Request your honorable body to return to the Senate, Senate Concurrent Resolution No. 10, relative to the abrogation of Joint Rules XL, XLVIII, and XLIX, for their further consideration.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Assembly Bill No. 187 ordered on unfinished-business file.

Assembly Bill No. 304 ordered to enrollment.

MOTIONS.

Mr. Dibble moved that a message be sent to the Senate respectfully informing that body that Senate Concurrent Resolution No. 10 was received by the Assembly on March 2d, was then concurred in by the Assembly, and that, as no notice of reconsideration was given, it is now too late to comply with the request of the Senate in that behalf, the action of the Assembly being necessarily final.

So ordered.

Mr. Toland moved that Assembly Bill No. 285 be made special order for to-morrow evening, at seven o'clock and thirty minutes.

So ordered.

Mr. Cutter moved that Assembly Bill No. 636 be taken up out of order and considered at this time.

So ordered.

Assembly Bill No. 636—An Act to provide for the preparation of an index of the Journals and Appendices of the Senate and Assembly of the State of California, and directing the Trustees of the California

State Library to pay for the same out of the fund for the support of the California State Library.

Read second time.

Mr. Cutter moved that Assembly Bill No. 636 be made a special order for to-morrow, immediately after reading of the Journal.

So ordered.

CONCURRENT RESOLUTION.

By Mr. North, of Alameda:

ASSEMBLY CONCURRENT RESOLUTION No. 9.

Resolution welcoming to the State of California the Societies of Christian Endeavor of the World, upon the occasion of their sixteenth annual international convention, to be held in the City of San Francisco, July 7 to 12, 1897.

WHEREAS, The sixteenth international Christian Endeavor convention is to be held in San Francisco, in this State, July 7th to 12th of this year; and

WHEREAS, The Society of Christian Endeavor is an organization embracing over forty-five thousand local societies, with an aggregate membership of over two and one half millions of persons, located in the different countries of the world, but principally in the United States of America; and

WHEREAS, A large number of our citizens in public and private life have for a long time past been devoting much time, labor, and money to the end that the convention of 1897 might be secured to our State, and will continue to labor and expend their money and devote their time in order to assure to our visitors a cordial and hospitable welcome; and

WHEREAS, This society is an inter-denominational organization, which has for its object the development of the young in good morals, high character, and to fit them for laudable achievement; and

WHEREAS, It has come to our notice that at the conventions held in sister States within the past few years, the attendance has reached as high as fifty thousand persons; and

WHEREAS, The railway associations of the United States have agreed upon rates for transportation to and from the State on account of this convention of 1897, lower than were ever granted at any previous time, upon any account whatever, which rates of transportation are available to everybody, whether members of the societies or not, and such rates being upon terms that will allow reasonable time for all visitors on that occasion to not only attend the convention, but also permit them to visit the innumerable points of interest in the State; and

WHEREAS, It is confidently believed by those who have charge of the affairs of the societies and sessions of the convention that many thousands will visit our State by reason of holding the convention of 1897 in California; and

WHEREAS, It is the sense of the Legislature of the State of California that it is but meet and proper that the people of California should welcome to our beloved State the delegates to the convention of 1897, and their accompanying friends, and others drawn here upon this auspicious occasion, from which we must inevitably derive much benefit; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring therein, That the Legislature of the State of California, at its thirty-second session, beginning on the 4th day of January, 1897, does hereby extend to the Societies of Christian Endeavor of the world, and their friends, a cordial welcome to our State upon this, the occasion of their sixteenth annual convention, better known throughout the world as "California 1897 Christian Endeavor Convention," and we assure them and their visiting companions that they will find in our people a deep and earnest interest in that moral culture which is elevating and helpful to humanity, and a disposition to aid and encourage those who have already devoted much time and labor to this cause

While those who will come to California during July next are within our State, we hope they will not fail to visit the many points of interest for which the State is famous, and see for themselves what a goodly heritage is ours; and we especially call their attention to Anno Domini 1601, when the first Christian Endeavor work on the western coast was initiated; where, "twenty years before the Pilgrims landed on Plymouth Rock, there was reflected a rude cross in the waters of the Bay of Monterey," which cross was erected by the Spanish padres We also invite their attention to the early missions at Santa Barbara, Santa Clara, San Luis Obispo, and elsewhere, and to the more modern churches of every denomination in the cities, villages, and hamlets of the State. The material progress of our State from its earliest control by Americans, we think, is well illustrated by the respective State Capitol buildings— the first erected at Monterey in 1849; the next at San José, 1849–51; the next at Vallejo, 1852–53; the next at Benicia, 1853–54; the next at Sacramento, 1854; the next at Sacramento, 1855–1869; then our present magnificent State building.

In addition to this evidence of our prosperity, we are proud of the educational development of the State, as shown by our great university at Berkeley, adjacent to Oakland and San Francisco, and of the numerous other educational institutions, at the head of which stands the Leland Stanford, Jr., University at Palo Alto, near San José; the State Normal Schools, at Los Angeles in the south, San José in the center, and Chico in the north, while on Mount Hamilton, near San José, will be found the great Lick Observatory with its complete astronomical equipment; and thus throughout our State—from "Siskiyou to San Diego, and from the Sierras to the sea"—will be found much to attract the eye and satisfy the fancy of those who love the wonderful and beautiful in nature.

In the great Sierra Nevada range will be found the richest gold mines of the world, while in the valleys and plains are located the agricultural, horticultural, and viticultural developments of the State, which are unsurpassed anywhere on the face of the globe.

For remarkable topographical features, there will be found Mounts Lowe and Wilson, near Los Angeles; farther north, the world-famed Yosemite Valley and Mount Whitney, while to the north is Mount Shasta, clad in perpetual snow. All of these are easy of access by rail, while, by our fourteen hundred miles of tidewater shore-line, the commerce of the world could be accommodated in a score of places from Del Norte in the northwest to San Diego in the southwest, with Eureka, San Francisco, Oakland, Monterey, Santa Cruz, San Luis Obispo, Santa Barbara, and Los Angeles between. By the inland waters of the State may be reached a hundred cities and towns of greater or less importance, notable among which are Stockton, Sacramento, Marysville, and Red Bluff, and by the same inland waters and by rail may be reached the great national navy yard at Mare Island, opposite Vallejo.

In the eastern central portion of the State will be found the location of Sutter's mill, where James W. Marshall discovered gold, from which discovery came the impelling forces which have so materially aided in the development of what is now this great State of California.

With all these and many other attractions for the gratification of the senses, in addition to the benefits to be derived from associations at the convention, it is the belief of the Legislature of the State of California that much good will come to those who will visit us during the convention days, and we feel assured that much benefit will be derived by our own people from the visit of those who will come to us in connection with this memorable occasion

Therefore, again we say to our expected guests, whether their stay with us be temporary or permanent, "Welcome, thrice welcome, to California"

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 604—An Act to repeal an Act entitled "An Act imposing a tax on the issue of certificates of stock corporations," approved April 1, 1878—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CUTTER, Chairman.

Senate Bill No. 604 placed on file for second reading.

COMMUNICATIONS.

OFFICE OF CLERK OF THE BOARD OF SUPERVISORS,
SAN FRANCISCO, March 1, 1897.

Hon. F. L. COOMBS, *Speaker of the Assembly, Sacramento*:

DEAR SIR: Your attention is hereby respectfully called to Resolution No 15,914 (Third Series) adopted by the Board of Supervisors of the City and County of San Francisco, at a meeting held February 15, 1897:

RESOLUTION NO. 15,914—(THIRD SERIES)

WHEREAS, An honest debt is never, nor can ever, be outlawed among honorable men, nor fail of due recognition on the part of such;

Resolved, That it is the sentiment of this board that the pioneer, gratuitous, and eminently patriotic services of Prof J. C. Pelton in the cause of popular education in this city and State entitle him to the grateful consideration of the people of California; and further, in a practical way to such generous legislation on the part of the Legislature now convened at Sacramento as shall by it be deemed just to him and creditable to the State of California; and further

Resolved, That the Legislature of California, now convened, be most respectfully, yet most earnestly, requested to make the matter hereof a consideration of urgent necessity and earliest possible action, and further

Resolved, That the clerk of this board furnish copies in due form of the foregoing resolution to the President of the Senate the Speaker of the Assembly, and the Chair-

man of the San Francisco Delegation, requesting, in behalf of this board, that they give the subject-matter hereof their earnest attention and hearty support

And the clerk is hereby directed to advertise this resolution as required by law.

In Board of Supervisors. San Francisco, February 15, 1897.

Adopted by the following vote:

Ayes—Supervisors Devany, Haskins, Delany, Sheehan, Dodge, Lackmann, Rottanzi, Morton, Britt, Smith, Clinton, Rivers.

JOHN A. RUSSELL, Clerk.

This resolution is transmitted with the request that it be printed and read in the Assembly, before which body a bill is pending for the relief of Prof. John C. Pelton.

JOHN A. RUSSELL, Clerk.

Referred to Committee on Education.

MERCHANTS' ASSOCIATION, SAN FRANCISCO, March 1, 1897.

Hon. S. J. DUCKWORTH, *Chief Clerk of the Assembly, Sacramento, Cal* ·

DEAR SIR: Kindly have the inclosed communication presented to the Assembly, so that it may be referred to the proper committees, and oblige

Yours sincerely,

MERCHANTS' ASSOCIATION.
J. RICHARD FREUD, Secretary.

MERCHANTS' ASSOCIATION, SAN FRANCISCO, CAL., March 1, 1897.

To the honorable Members of the Assembly of the State of California ·

GENTLEMEN: At the last meeting of the Board of Directors of the Merchants' Association it was unanimously decided to approve of Senate Constitutional Amendment No. 35, amending Article XI of the Constitution of the State, by adding a new section thereto, to be known as No. 5½, relating to consolidated city and county governments.

It was also unanimously decided to approve of an Act to be introduced in the Legislature at once, in relation to elections held under the authority of Section 8 of Article XI of the Constitution, to elect Boards of Freeholders, or to vote upon proposed charters or upon amendments to existing charters

The Merchants' Association would therefore respectfully request your honorable body to favor the passage of the above-mentioned constitutional amendment and the adoption of the Act above referred to.

Very truly yours,

MERCHANTS' ASSOCIATION.
F. W. DOHRMANN, President
[SEAL.] J. RICHARD FREUD, Secretary.

Referred to Committee on Constitutional Amendments.

RECESS.

At five o'clock and thirty minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and forty minutes P. M. Speaker Coombs in the chair.

Quorum present.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 765—An Act making an appropriation to pay the claim of A. W. Rapelye against the State of California.

Also: Assembly Bill No. 787—An Act to amend Section 412 of the Penal Code, relating to boxing or sparring matches and prize or ring fights

Also: Assembly Bill No 156—An Act making an appropriation to pay the claim of Ernest Weyand, District Attorney of Colusa County, for moneys expended in behalf ·

of the State of California for foreclosing State school lands in Colusa County, State of California.

Also: Assembly Bill No. 839—An Act making an appropriation to pay the claim of Marion Pirkey, for moneys advanced to the National Guard of California

Also: Assembly Bill No. 790—An Act to amend Section 1576 of the Code of Civil Procedure, relating to the purchase of property of deceased persons by administrator or executor.

Also: Assembly Bill No. 756—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 218 thereof, relating to train-wrecking, and the punishment thereof.

Also: Assembly Bill No 97—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to mortgages.

Also: Assembly Bill No. 656—An Act providing for the furnishing to Sheriffs and Chiefs of Police of certain information, description, and photographs of convicts about to be discharged by the Wardens of State prisons.

Also: Assembly Bill No. 909—An Act to amend Section 2 of an Act entitled "An Act to organize and define the powers of the Board of Railroad Commissioners," approved April 15, 1880.

Also: Assembly Bill No 325—An Act to provide for the completion and equipment of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California, and to make an appropriation therefor.

AUSTIN, Chairman.

Mr. Dibble moved to call up the report of the Committee on Rules and Regulations, out of order, and to consider it at this time.

So ordered.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1897.

MR SPEAKER: Your Committee on Rules and Regulations hereby report the following temporary rule, under Rule LXVII of the Assembly: That the following bills be considered at a meeting of the Assembly, to be held Thursday evening, March 4th, commencing at seven o'clock and thirty minutes; that all of said bills not now on the third-reading file be considered under the urgency clause of the Constitution, and be read second and third times, and placed on final passage; that no other business be transacted pending consideration of said measures, except by unanimous consent:

Assembly Bill No. 523—An Act to authorize empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution; to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act.

Assembly Bill No. 524—An Act to provide for the fencing of the farm property, the further equipment of the farm, and for the laying out and care of the grounds at the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor

Assembly Bill No 972 (Substitute for Assembly Bill No. 639)—An Act to provide for the care of the dependent and wayward classes.

Assembly Bill No. 682—An Act providing for the publication of legal or official advertising

Assembly Bill No. 810—An Act to amend Section 3 of an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, providing for the submission of the question of reincorporation of such corporations at special elections.

Assembly Bill No 828—An Act to provide for the appointment of a mining inspector in each congressional district of the State, to define his duties and provide for his compensation, and the liability of mining operators.

Assembly Bill No. 688—An Act to amend Sections 354, 1487, 1488, 1489, 1490, 1491, 1492, 1497, 1501, 1503, 1505, and 1507, and to repeal Sections 1504 and 1506 of the Political Code, relating to State Normal Schools

Assembly Bill No 789—An Act to amend Section 309 of the Civil Code of California, relating to the liability of directors of corporations, and providing for the enforcement of the same.

Assembly Bill No 647—An Act to provide for the establishment of a board of examiners for the California State Therapeutic Society and College.

Assembly Bill No. 942—An Act to provide for the auditing and examination of the claims against the State of soldiers who served in the Indian wars in California, during the years from 1847 to 1857, to authorize the Adjutant-General to appoint a clerk for that purpose, and making an appropriation for his salary

Assembly Bill No 667—An Act to amend Section 595 of the Civil Code of the State of California, relating to religious, social, and benevolent associations

Assembly Bill No. 743 (Substitute for Assembly Bill No 266 and Assembly Bill No. 493)—An Act to amend Section 3342 of the Political Code of the State of California, and to add a new section thereto, to be known as Section 3346 thereof, all relating to volunteer fire departments.

Assembly Bill No. 926—An Act giving a lien to blacksmiths, woodworkers, and all other persons employed upon any vehicle or implement of husbandry, for labor performed or material furnished upon the same, and providing for liens upon horses and other animals for the cost of shoeing the same

Assembly Bill No 850—An Act to assist the Woman's Relief Corps, auxiliary to the Grand Army of the Republic of the Department of California and Nevada to provide for ex-army nurses, and the worthy destitute widows, wives, mothers, and destitute maiden daughters or sisters of veterans who served honorably in the war for the Union, and making an appropriation therefor.

Assembly Bill No 849—An Act to authorize the Superintendent of Streets of municipalities in this State to enter into contracts for work upon public streets, in said municipalities, and to provide a lien for the expense thereof, and for suits to foreclose said liens.

Senate Bill No 392—An Act to amend Section 499 of the Civil Code, relating to street railways operated under different managements

Assembly Bill No. 943 (Substitute for Assembly Bill No. 719)—An Act to repeal an Act entitled an Act regulating the sale of mineral lands belonging to the State, approved March 28, 1874, and the Acts amendatory thereof, and to provide for the sale of mineral lands under United States laws.

Assembly Bill No. 379—An Act to provide for the purchase of additional land for the Preston School of Industry at Ione, and making an appropriation therefor.

Assembly Bill No. 362—An Act entitled an Act to amend the Political Code by adding a new section prohibiting the imposing of a license upon any person soliciting orders for the sale of any articles manufactured or produced in this State, which, under the laws of the United States, cannot be legally imposed upon persons soliciting orders for the sale of like articles manufactured in any of the States of the United States

Assembly Bill No. 741 (Substitute for Assembly Bill No 258)—An Act to regulate the salaries of certain officers in the police department within municipalities of the first class in the State of California, and to provide for the appointment and salaries of other officers of such department.

Assembly Bill No. 620 (Substitute for Assembly Bill No 67)—An Act to amend Sections 6 and 25 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 as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners, and adding three new sections thereto, to be numbered 28, 29, and 30, respectively.

CHYNOWETH, Chairman.

Adopted.

Mr. North, of Alameda, moved that the notices of reconsideration given by Mr. Waymire, and made special orders for this hour, be postponed temporarily.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Valentine:

Resolved, That A. A. Bayley be and he is hereby appointed Assistant Engrossing Clerk, at a per diem of $8, in place of W. S. Spencer, resigned

Adopted.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 765—An Act making an appropriation to pay the claim of A. W. Rapelye against 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. Aldridge, Allen, Arnerich, Austin, Belshaw, Burnett, Burnham, Caminetti, Canavan, Cartwright, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Ennis, Foreman, Goff, Goodhue, Guy Henry, Hudson, Jones, Kelsey, Landsborough, Leavitt, Mahoney, Mead, Melick, Mulcrevy, North of Alameda, Pohlmann, Robinson, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Assembly Bill No. 787—An Act to amend Section 412 of the Penal Code, relating to boxing or sparring matches and prize or ring fights.

Read second time.

Mr. Mulcrevy moved to refer to select committee of one, with instructions to amend as follows:

Amend Section 1, line 16, after the word "sparring," by inserting the words "or boxing." Also: By striking out all that portion after the word "by" in line 18 to the word "county" in line 21, and substitute in lieu thereof the following: "any athletic club incorporated under the laws of this State, upon obtaining a license therefor from the Board of Supervisors of any county in which the principal place of business of such corporation may be located. The Board of Supervisors shall fix an annual license, to be payable quarterly in advance, for such athletic club, and shall at their pleasure issue, refuse, or revoke any or all licenses under the terms of this section."

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 Allen, Arnerich, Austin, Burnett, Canavan, Cutter, Damon, Dennery, Dolan, Ennis, Jones, Lacy, Landsborough, McClellan, Robinson, Ryan, Sims, Soward, and Stansell—19.

NOES—Messrs. Aldridge, Belshaw, Burnham, Caminetti, Cartwright, Chynoweth, Cross, Dibble, Dryden, Elliott, Gately, Godfrey, Goff, Goodhue, Guy, Hill, Houghton, Hudson, Keegan, Kelly, Kelsey, Melick, Moultrie, Mulcrevy, McCandlish, North of Alameda, Price, Rubell, Sanford, Shanahan, Strain, Treacy, Valentine, Wright, and Mr. Speaker—35.

Assembly Bill No. 156—An Act making an appropriation to pay the claim of Ernest Weyand, District Attorney of Colusa County, for moneys expended in behalf of the State of California for foreclosing State school lands in Colusa County, State of California.

Passed on file.

Assembly Bill No. 839—An Act making an appropriation to pay the claim of Marion Pirkey, for moneys advanced to the National Guard of California.

Passed on file.

Assembly Bill No. 441—An Act to amend Sections 556 and 641 of the Code of Civil Procedure of the State of California, in relation to receivers and referees.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Belshaw, Burnett, Burnham, Canavan, Cross, Damon, Dennery, Dibble, Dryden, Gately, Godfrey, Goff, Goodhue, Henry, Hill, Houghton, Hudson, Jones, Kelsey, Landsborough, Leavitt, Mahoney, Mead, Melick, Moultrie, Mulcrevy, McCandlish, McClellan, North of Alameda, Pohlmann, Price, Robinson, Rubell, Sanford, Sims, Soward, Strain, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Assembly Bill No. 790—An Act to amend Section 1576 of the Code of Civil Procedure, relating to the purchase of property of deceased persons by administrator or executor.

Mr. Cutter moved that Assembly Bill No. 790 be passed on file and that instead Senate Bill No. 364 be now taken up, considered, and placed on final passage.

So ordered.

Senate Bill No. 364—An Act to amend 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. Aldridge, Allen, Arnerich, Austin, Belshaw, Burnett, Caminetti, Canavan, Cartwright, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Landsborough, Leavitt, Mahoney, Mead, Melick, Moultrie, Mulcrevy, McCandlish, McClellan, North of Alameda, Pohlmann, Power of San Francisco, Rubell, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Vosburg, Wright, and Mr. Speaker—53.

NOES—Messrs. Lacy and Ryan—2.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Power, of San Francisco, gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 364 was finally passed.

LEAVE OF ABSENCE.

Mr. Austin was granted leave of absence for remainder of the evening.

SPECIAL FILE—(RESUMED).

Senate Bill No. 118—An Act to appropriate $20,000 to furnish an additional water supply to the Mendocino Asylum, to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to construct a building for said electric plant; to construct a dam; to purchase an ice plant and cold-storage system for said asylum; 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 the bill passed by the following vote:

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Burnett, Burnham, Caminetti, Canavan, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Lacy, Landsborough, Leavitt, Mahoney, Mead, Melick, Moultrie, Mulcrevy, McCandlish, McGrath, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Treacy, Vosburg, Wright, and Mr. Speaker—57.

NOES—Mr. North of Alameda—1.

Title read and approved.

By unanimous consent, Mr. Power, of San Francisco, withdrew his notice of reconsideration on the passage of Senate Bill No. 364, given this day.

Assembly Bill No. 756—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 218 thereof, relating to train-wrecking, and the punishment thereof.

Read third time.

Mr. Belshaw moved that the rules be suspended, and he be allowed to withdraw Assembly Bill No. 756, and that Assembly Bill No. 320 be substituted therefor.

So ordered.

Assembly Bill No. 320—An Act making an appropriation to pay the expenses of experts and the costs and expenses of litigation of the suit now pending in the Circuit Court of the United States for the Northern

District of California, wherein the Southern Pacific Company is plaintiff and the Board of Railroad Commissioners is defendant.

Read second time.

Mr. Belshaw 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. 320.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 320 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 320—An Act making an appropriation to pay the expenses of experts and the costs and expenses of litigation of the suit now pending in the Circuit Court of the United States for the Northern District of California, wherein the Southern Pacific Company is plaintiff and the Board of Railroad Commissioners is defendant—and now report the same to the House, and recommend that the same do pass as amended.

COOMBS, Chairman

Report adopted.

Amend by inserting, after the title, the following: "The People of the State of California, represented in Senate and Assembly, do enact as follows."

Adopted.

Also: Amend by striking out all of Section 1.

Adopted.

Also: Amend by striking out of Section 2, line 1, the words "now therefore."

Adopted.

Also: Amend by striking out of Section 2, line 4, the words "for the other purposes aforesaid," and inserting the following: "for the costs and expenses of litigation of the suit now pending in the United States Circuit Court for the Northern District of California, wherein the Southern Pacific Company is plaintiff and the Board of Railroad Commissioners is defendant."

Adopted.

Also Amend by renumbering Sections 2, 3, and 4 so as to read Sections 1, 2, and 3.

Adopted.

Assembly Bill No. 320 ordered to printer, engrossment, and third reading.

Assembly Bill No. 156—An Act making an appropriation to pay the claim of Ernest Weyand, District Attorney of Colusa County, for moneys expended in behalf of the State of California, for foreclosing State school lands in Colusa County, 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. Allen, Austin, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons,

Foreman, Godfrey, Goodhue, Henry, Hill, Houghton, Hudson, Keables, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, North of Alameda, Pohlmann, Power of San Francisco, Price, Rubell, Sanford, Sims, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—47.

NOES—Messrs. Arnerich and Cross—2.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Austin gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 105 was refused final passage.

MOTIONS.

Mr. Bettman moved that Assembly Bills Nos. 741, 853, and 831 be made special orders for to-morrow morning, immediately after reading of the Journal.

Mr. Caminetti moved to amend by adding Assembly Bill No. 314.

Mr. Mahoney moved to amend the amendment by adding Assembly Bill No. 61.

Mr. North, of Alameda, moved to lay the whole subject-matter on the table.

Mr. Dennery moved to adjourn.

Motion to adjourn lost.

Motion to lay the whole subject-matter on the table carried.

Mr. Waymire moved that his notice of reconsideration, given on yesterday, be made special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 839—An Act making an appropriation to pay the claim of Marion Pirkey, for moneys advanced to the National Guard 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. Aldridge, Allen, Austin, Bettman, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Cross, Cutter, Dibble, Elliott, Ennis, Fontana, Foreman, Godfrey, Goodhue, Guy, Harris, Houghton, Jones, Kelsey, Landsborough, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McCandlish, North of Alameda, Pohlmann, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Toland, Treacy, Vosburg, Wright, and Mr. Speaker—47.

NOES—Messrs. Belshaw, Boone, Dryden, Gately, and Power of San Francisco—5.

Title read and approved.

Assembly Bill No. 97—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, 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. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Bridgford, Burnett, Caminetti, Cartwright, Cross, Cutter, Dennery, Dibble, Dolan, Elliott, Ennis, Godfrey, Goodhue, Guy, Harris, Henry, Hudson, Jones, Keegan, Landsborough, Lindenberger, Mahoney, Melick, Mulcrevy, McCandlish, North of Alameda, Pohlmann, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

RESIGNATION.

SACRAMENTO, March 3, 1897.

Hon. L. H. VALENTINE, *Chairman of the Committee on Municipal Corporations:*

I hereby resign as Clerk for the Committee on Municipal Corporations.

A. A. BAYLEY

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 4, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, McCandlish, McClellan, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

RESOLUTION.

By Mr. Goodhue:

To the President: The California Assembly sends greeting to you, with assurances of confidence in your coming administration.

Adopted.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Tuesday, March 2d, was approved as corrected.

SPECIAL ORDERS.

Assembly Bill No. 872—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State.

Passed on file.

Senate Bill No. 136—An Act to establish a uniform system of county and township governments.

Passed on file.

Assembly Bill No. 636—An Act to provide for the preparation of an index of the Journals and Appendices of the Senate and Assembly of the State of California, and directing the Trustees of the California State Library to pay for the same out of the fund for the support of the California State Library.

Passed on file.

Assembly Bill No. 657—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.

Mr. Waymire moved to reconsider the vote by which Assembly Bill No. 657 was refused final passage.

So ordered.

Mr. Waymire moved that a select committee of one be appointed by the Speaker to make the following amendments:

Amend by inserting in Section 1, line 7, the words "owners of said land representing not less than one half in value thereof"; and also by inserting the word "by" before the word "not."

Also: By striking out of Section 1, line 24, the words "more than" and inserting the following "at least."

Also: By inserting in Section 1, line 24, the words "in value" after the word "half."

Also: By inserting in Section 1, line 27, the words "in value" after the word "half."

Also: By striking out of Section 1, line 32, the words "if filed, if the" at the end of the line, and inserting the following: "if those filed are less than one half in value of said land and."

Also: By striking out of Section 1, line 33, the word "same" at commencement of the line.

So ordered.

Mr. Waymire was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 657—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—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.

WAYMIRE, Committee.

Report adopted.

Bill ordered to printer and reëngrossment.

Mr. Waymire moved to make Assembly Bill No. 657 a special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

Assembly Bill No. 862—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the powers of the Boards of Trustees of certain cities.

Mr. Waymire moved that the vote by which Assembly Bill No. 862 was refused final passage be reconsidered.

So ordered.

Mr. Waymire moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by inserting in Section 1, line 17, the words "and electric or other lights" after the word "water."

So ordered.

Mr. Waymire was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 862—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the powers of the Boards of Trustees of certain cities—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.

WAYMIRE, Committee.

Report adopted.

Mr. Leavitt moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by inserting on line 22, Section 3, the word "total" after the word "estimated."

So ordered.

Mr. Leavitt was appointed such select committee:

REPORT OF SELECT COMMITTEE OF ONE

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 862—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the powers of the Boards of Trustees of certain cities—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.

LEAVITT, Committee

Report adopted.

Assembly Bill No. 862 ordered to printer and reëngrossment.

MOTIONS.

Mr. Waymire moved that Assembly Bill No. 862 be made a special order for to-morrow, immediately after reading of the Journal.

Mr. North, of Alameda, moved that Assembly Bill No. 872, which was made a special order for this morning, be continued.

So ordered.

PETITIONS.

Petition from about six hundred and seventy-five citizens of Santa Clara County, relative to the enactment of a law against the sale of liquor in corner grocery stores.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON STATE PRISONS AND REFORMATORY INSTITUTIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Senate Bill No. 549—An Act to provide for certain improvements and repairs at the 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.

CANAVAN, Chairman.

Senate Bill No. 549 re-referred to Committee on Ways and Means.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 507—An Act to authorize the State Board of Harbor Commissioners to establish

and maintain a free public market upon the waterfront of San Francisco, and providing for the expenses and regulations thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PRICE, Chairman.

Senate Bill No. 507 placed on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 949—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 1426 thereof, relating to executors and administrators—have had the same under consideration, and respectfully report the same back, and recommend that the author withdraw the same.

WAYMIRE, Chairman.

Assembly Bill No. 949 referred to Committee on Revision of File.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred committee report, and amendment thereto, in the matter of allowance of fees and costs in election contest of Kelsey vs McLaurin.

REPORT OF COMMITTEE ON CONTESTED ELECTIONS.

MR SPEAKER: Your Committee on Contested Elections, having had under consideration the claims in the case of Kelsey vs. McLaurin, of the Fifty-fifth Assembly District, beg to report as follows, viz.:

Louis Montgomery, attorney for Kelsey:

Attorney's fees	$100 00	
Stenographer's fees	30 60	
Filing petition	7 00	
Sheriff's fees	3 00	
		$140 60
J. D. Kelsey, witness fees		101 00
V. A. Scheller, attorney for J. J McLaurin		100 00
John W. Sullivan, attorney for J. J. McLaurin		100 00
J. J. McLaurin, witness fees		145 00
J. Harrington, Justice's fees		86 10
W. H. Dwyer, Justice's fees		86 10
M. V. Collins, reporter's fees		227 80
Edward Haley, serving subpœnas		7 50
T. W. Measure, watchman		36 65
Henry A. Pfister, County Clerk		65 60
A. Searles, tally clerk, one day		5 00
S. F. Smith, tally clerk, four days		20 00
J. H. Jordan, tally clerk, five days		25 00
W. C. Randolph, calling ballots, five days		25 00
P. Desmond, stringing ballots, five days		25 00

A. A. Friedlander, Sergeant-at-Arms to Committee:

January 25, 1897, one day	$5 00	
February 4, 1897, one day	5 00	
February 5, 1897, one day	5 00	
February 16th to 20th, inclusive	25 00	
		40 00

And herewith offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrants, and the Treasurer is instructed to pay the same, in favor of the parties named, and whose claims are approved in the above report, for the several amounts set opposite their respective names.

AMENDED REPORT.

Strike out the following items:

Stenographer's fees	$30 60
Filing petition	7 00
Sheriff's fees	3 00
Witness fees	101 00
J. J. McLaurin, witnesses	145 00
J. Harrington, Justice's fees	86 10
W. H. Dwyer, Justice's fees	86 10
M. V. Collins, reporter's fees	227 80
Edward Haley, serving subpœnas	7 50
Total	$694 10

Have had the same under consideration, and respectfully report the same back. In the opinion of the committee there is no law regulating costs in election contests, and the matter is entirely in the hands of the Assembly.

WAYMIRE, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 436—An Act making an appropriation for supplying water, light, and fuel for the State Insane Asylum at Stockton—have had the same under consideration, and report the same back without recommendation.

Also: Senate Bill No. 90—An Act for the relief of district agricultural associations—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also: Senate Bill No. 56—An Act to provide for the purchase of additional lands and improving the same at the Folsom State Prison, and making an appropriation therefor.

Also: Senate Bill No. 292—An Act to provide for the deficiency in the appropriation for support and maintenance of the widows and orphans of Union soldiers, sailors, and marines, and for ex-Union army nurses residing at Evergreen, in the County of Santa Clara, at the Home in said county, and under the auspices of the Woman's Relief Corps Home Association, for the forty-eighth fiscal year.

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

GUY, Chairman.

Senate Bills Nos. 90, 56, and 292 placed on file for second reading.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No 636—An Act to provide for the preparation of an index of the Journals and Appendices of the Senate and Assembly of the State of California, and directing the Trustees of the California State Library to pay for the same out of the fund for the support of the California State Library.

AUSTIN, Chairman.

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred Assembly Bill No. 763—An Act to provide for the appointment of a committee from the members of the Legislature to visit the public institutions of this State, and to report upon their condition, their wants and requirements, and to estimate the amount of money necessary for their support and maintenance; and providing for the payment of such committee—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 938—An Act to provide for the auditing of claims of the Superintendent of State Printing, the purchase of supplies, the examination of accounts and books relating to State Printing, and the employment of an expert printer by the Board of Examiners, and providing for his compensation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 939—An Act to provide for an auditing board to regulate the purchase of supplies by the Superintendent of State Printing, to consider the accounts of the State Printing Office, to regulate the office, to provide for the employment of a printing expert, and making an appropriation for his compensation—have had the same under consideration, and respectfully report the same back without recommendation.

MELICK, Chairman.

Assembly Bills Nos. 763, 938, and 939 placed on file for second reading.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1897.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Senate Bill No. 64—An Act to establish a State Hospital for Special Diseases, to provide for the management and maintenance of the same, and to make an appropriation therefor.

Also: Senate Bill No. 321—An Act to establish the Polytechnic Institute of California in San Luis Obispo County, Cal., and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Ways and Means.

Also: Senate Bill No 399—An Act making an appropriation for the purpose of constructing a reservoir and laying and maintaining a line of pipe from said reservoir to the Marshall monument, and for other purposes.

Also: Senate Bill No. 48—An Act to provide for additions and improvements to the Deaf, Dumb, and Blind Asylum, and making an appropriation for the same.

Also: Senate Bill No. 291—An Act to provide for reseating the hall in the State Normal School building at San José, and for the building of a gymnasium for the said State Normal School, and to make an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Ways and Means.

WRIGHT, Chairman.

So ordered.

ON RULES AND REGULATIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897

MR. SPEAKER: Your Committee on Rules and Regulations hereby report the following temporary rule, under Rule LXVII of the Assembly: That the following bills be considered at a meeting of the Assembly to be held Friday evening, March 5th, commencing at seven o'clock and thirty minutes; that all of said bills not now on the third-reading file be considered under the urgency clause of the Constitution, and be read second and third times, and placed on final passage; that no other business be transacted pending consideration of said measures, except by unanimous consent.

Assembly Bill No. 533—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-eighth fiscal year

Assembly Bill No 534—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-seventh fiscal year.

Assembly Bill No. 535—An Act making an appropriation to pay the deficiency in the appropriation for office rent of Attorney-General, in San Francisco, for the forty-eighth fiscal year.

Senate Bill No 100—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887, to provide the penalty therefor, and appropriating money to enforce the same.

Assembly Bill No. 174—An Act entitled an Act to amend an Act entitled 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, by amending the title to said Act, and by amending Sections 1, 4, 7, 8, 9, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 26, 27, 28, 29, and 30 thereof, and by adding three new sections thereto, to be numbered, respectively, Sections 16*a*, 16*b*, and 16*c*, relating to a change in the name of the institution and the powers and duties of the public officers thereof, and the manner and conditions under which commitments may be made thereto, and of the rights and obligations of persons committed thereto and of the powers and duties of certain public officers in connection therewith, and generally relating to the State school located and established under the aforesaid Act, and now maintained by the State of California at Whittier, in the County of Los Angeles, therein, approved March 23, 1893, by amending Sections 4, 6, 9, and 11

Assembly Bill No. 194—An Act to amend Section 1187 of the Code of Civil Procedure, concerning the filing of mechanics' liens, by adding a provision requiring the owner of real property to give notice of completion of improvements thereon.

Senate Bill No 101—An Act to provide for the purchase of land, the purchase of machinery, the construction of a dam, and other improvements, by the Trustees of the Napa State Asylum for the Insane, and appropriating money therefor

Assembly Bill No. 691—An Act to establish a State Lunacy Commission, to provide a uniform government and management of the State hospitals for the insane, and to provide for the care, custody, and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties

Assembly Bill No 529—An Act to amend an Act entitled "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," approved March 26, 1895

Assembly Bill No. 926—An Act giving a lien to blacksmiths, woodworkers, and all other persons employed upon any vehicle or implement of husbandry, for labor performed or material furnished upon the same, and providing for liens upon horses and other animals for the cost of shoeing the same.

Assembly Bill No. 242—An Act making an appropriation to pay the claim of R. L. Peeler, for expenses incurred in attending the funeral of the late General Dimond.

Assembly Bill No. 748—An Act to provide for the working, dressing, and carving of stone for public work.

Assembly Bill No 608—An Act appropriating money to pay the expenses of preparing, forwarding, installing, maintaining, taking down, and returning an exhibit of the products of the State of California at the Trans-Mississippi and International Expo-

sition to be held in Omaha in 1898, and to provide for a commission and its expenses, a secretary of such commission, and the compensation of the secretary thereof.

Assembly Bill No. 271—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor

Assembly Bill No 151—An Act to provide the mode of changing grades of public streets, lanes, alleys, courts, and places within municipalities in the State of California.

Assembly Bill No. 303—An Act to authorize the Board of Fish Commissioners of the State of California to purchase or construct a gasoline launch, to aid in carrying out the purposes of said board, and appropriating money therefor.

Assembly Bill No 504—An Act entitled an Act to amend Section 487 of the Penal Code of the State of California, making chicken-stealing grand larceny.

And your Committee on Rules and Regulations further report that on Saturday evening, March 6th, at a meeting of the Assembly, commencing at seven o'clock and thirty minutes, the following bills be considered; that all of said bills not now on the third-reading file be considered under the urgency clause of the Constitution, and be read second and third times, and placed on final passage; that no other business, except by unanimous consent, be transacted pending consideration of said measures:

Assembly Bill No 499—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add two new sections to said Act, to be known as Sections 20 and 21.

Senate Bill No. 8—An Act to amend Section 1880 of the Code of Civil Procedure of the State of California, relating to witnesses.

Assembly Bill No 873—An Act to amend Section 307 of an Act entitled "An Act to establish a Civil Code," relating to the formation of corporations.

Senate Bill No. 372—An Act to amend Sections 1254 and 1257 of the Code of Civil Procedure, relating to the right of eminent domain.

Assembly Bill No. 610—An Act to amend Section 1618 of the Code of Civil Procedure of California, relating to the salaries of Public Administrators.

Assembly Bill No. 320—An Act making an appropriation to pay the expenses of experts, and the costs and expenses of litigation, of the suit now pending in the Circuit Court of the United States for the Northern District of California, wherein the Southern Pacific Company is plaintiff and the Board of Railroad Commissioners of the State of California is defendant.

Assembly Bill No. 166—An Act to amend Sections 1523, 1524, and 1536 of the Penal Code, relating to search warrants.

Assembly Bill No. 631—An Act to repeal Section 3640 of the Political Code of California, relating to the duties of Assessor.

Assembly Bill No. 609—An Act to prevent deception in trade, and to prevent the giving of prizes by persons, firms, or corporations engaged in trade.

Assembly Bill No. 225—An Act making an appropriation to pay the claim of Clarence S. Merrill, for services as reporter in a court of inquiry of the National Guard of the State of California

Assembly Bill No. 653 (Substitute for Assembly Bill No. 185)—An Act to reduce the expenses of the government of the State.

Senate Bill No. 614 (Substitute for Assembly Bill No. 713)—An Act making an appropriation for the erection of a ward building for the Southern California State Asylum for the Insane and Inebriates.

Assembly Bill No. 635 (Substitute for Assembly Bill No. 351)—An Act to amend the Penal Code, by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies

Assembly Bill No. 158—An Act to authorize and require the State Board of Harbor Commissioners to commence and complete the construction of a certain portion of the seawall of the Port of San Francisco.

Assembly Bill No. 522—An Act to prohibit the making of contracts or the entry of judgment thereon in any particular or specific kind of money coined or issued by the United States

Assembly Bill No. 490—An Act to amend Sections 3629, 3633, 3651, 3653, 3658, 3678, 3681, 3738, 3746, 3795, 3820, 3821, 3825, 3826, and 3881 of the Political Code, relating to the general revenue of the State, and to property liable to assessment and taxation for the purposes of revenue, and the duties of taxpayers for the purposes of assessment of property and in the collection of taxes, and to add to the Political Code a new section, to be known as Section 3683, relating to the making of abstracts by the Registers of Land Offices, and also a new section, to be known as Section 3831, relating to taxes on mortgage interest on personal property, and providing the time of the payment of the same, and the means of forced collection of the same.

Assembly Bill No 737—An Act to amend an Act entitled "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," approved March 26, 1895

Senate Bill No 480—An Act to amend Section 465 of the Civil Code, relating to the powers of railroads

CHYNOWETH, Chairman.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897

MR. SPEAKER: Your select committee, to whom was referrred the matter of revising the payroll of attachés of the Assembly, hereby report and recommend the adoption of the following resolution:

Resolved, That the Clerks, Sergeants-at-Arms, and Porters of all committees except the Committees on Ways and Means, Judiciary, County and Township Governments, Engrossment, Enrollment, and special investigating committees be and they are hereby relieved from duty from and after Saturday, March 6, 1897, and that the names of all of such Clerks, Sergeants-at-Arms, and Porters be dropped from the payroll from and after said date.

COOMBS, Committee.

Adopted.

SPECIAL ORDER.

Assembly Bill No. 636—An Act to provide for the preparation of an index of the Journals and Appendices of the Senate and Assembly of the State of California, and directing the Trustees of the California State Library to pay for the same out of the fund for the support of the California State Library.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Bettman, Boone, Breiling, Bridgford, Burnett, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Goff, Guy, Harris, Henry, Hill, Houghton, Jones, Keables, Keegan, Kelsey, Kenyon, Lacy, Lindenberger, Mahoney, Mead, Melick, Moultrie, McCandlish, McClellan, North of Alameda, Power of San Francisco, Price, Robinson, Rubell, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—58.

NOES—Mr. Landsborough—1.

Title read and approved.

RESOLUTIONS.

By Mr. Stansell:

Resolved That the name of George W. Ashley be placed upon the permanent roll of attachés of the Assembly as Porter, at the regular per diem, commencing January 11, 1897, and that the Controller be authorized to draw his warrant, and the Treasurer be directed to pay the same, for the amount due, out of the Contingent Fund of the Assembly.

Adopted.

By Mr. Price:

Resolved, That the Committee on Attachés and Employés be and they are hereby directed to report to this House all attachés now on the payroll that can be got along without, and that when so reported their names shall be stricken from the payroll of the Assembly, the committee are further directed to make this report before Saturday next

Adopted.

SECOND READING OF BILL.

Assembly Bill No. 410—An Act to provide for the payment of claims against the State of California arising under an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and making an appropriation therefor.

Read second time.

Mr. Emmons moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 410.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 410 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 410—An Act to provide for the payment of claims against the State of California arising under an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and making an appropriation therefor—now report progress, and ask leave to sit again; also, that the further consideration of the matter be made a special order for to-morrow, after reading of the Journal; and that in the meantime the State Board of Examiners be instructed to report to the Assembly what sum would be sufficient to pay those claims for coyote scalps which are now established and recognized as valid.

COOMBS, Chairman.

Adopted.

At twelve o'clock and fifteen minutes P. M., the Speaker called the Speaker pro tem. to the chair.

MOTION.

Mr. Dibble moved that the hour of recess be extended fifteen minutes.

So ordered.

RESOLUTION.

By Mr. Caminetti:

WHEREAS, The Daily Examiner of San Francisco, in its issue of Saturday, February 27, 1897, published an article reflecting upon the honor and integrity of members of the Legislature of this State; and

WHEREAS, A committee has been heretofore appointed by this Assembly for the purpose of investigating such charges; and

WHEREAS, The object of the Assembly in the appointment of such committee was to secure a full and fair investigation of said charges, and permit the Examiner all reasonable opportunity, in order that the truth or falsity thereof might be determined; now, therefore, be it

Resolved, That the said committee so appointed be and they are hereby instructed and directed to permit the Examiner or any person to be represented before it by counsel of its or his own selection, and that all subpœnas required or requested by said Examiner or any person desirous of assisting in such investigation, for witnesses, be granted both for persons and papers, and that proof of the alleged charges may be presented by such counsel, both as to the manner and order of proof and in the witnesses required, as said counsel may determine, to the end that a full and complete investigation may result.

The following substitute was offered by Mr. Emmons:

WHEREAS, The business of the Assembly will close upon the 13th day of March, 1897; and

WHEREAS, There is now under way an examination of certain charges made by the Examiner in reference to certain acts of the Legislature of the State of California, and that said examination cannot be thorough and complete, owing to the shortness of the time at the disposal of the committee; now, therefore, be it

Resolved, That the whole matter be referred to the grand jury of the County of Sacramento, and that said grand jury be instructed to examine said charges fully and completely, so that the whole truth may be known.

Mr. Melick moved that the resolution of Mr. Caminetti, and the substitute offered by Mr. Emmons for the same, be laid on the table.

So ordered.

RECESS.

At twelve o'clock and forty-five minutes P. M., 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 and five minutes P. M. Speaker Coombs in the chair.

Quorum present.

MOTIONS.

Mr. Mulcrevy moved that the Committee on Judiciary be required to report back the resolution offered by him on February 26th, in reference to the charge against A. A. Friedlander.

So ordered.

Mr. North, of Alameda, moved to suspend the rules and make Assembly Bill No. 875 a special order for to-morrow morning, immediately after reading of the Journal.

Mr. Dibble moved to amend by making it a special order for to-morrow afternoon, just after consideration of Senate special file.

Mr. North, of Alameda, accepted the amendment.

Mr. Caminetti moved to amend by adding Assembly Bill No. 314, and making both special orders.

Mr. North's motion, as amended, lost.

Mr. Cutter moved to make Assembly Bill No. 521 a special order for to-morrow, immediately after consideration of Senate special file.

Lost.

MESSAGES FROM THE SENATE—(OUT OF ORDER).

SENATE CHAMBER, SACRAMENTO, March 3, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate requests the return of Assembly Bill No. 187 for further consideration.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, March 3, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 193—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to estates of deceased persons.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Assembly Bill No. 193—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to estates of deceased persons.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 3, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 769—An Act to amend Section 1159 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to recording of certain instruments and validating records heretofore made

Also: Assembly Bill No. 113—An Act to repeal Section 415 of the Political Code of California, relative to the translation of the laws into Spanish, and their distribution

Also: Assembly Bill No. 420—An Act to amend Section 581 of the Code of Civil Procedure.

Also: Assembly Bill No. 405—An Act making an appropriation for improving the Capitol buildings and grounds.

Also: Assembly Bill No. 847—An Act to provide for the transfer from Whittier State School at Whittier of the girls heretofore committed thereto under the laws of this State, and for their maintenance and care, as well as that of such other girls as shall be hereafter so committed under said law, and to establish, maintain, and locate in the County of Santa Clara, State of California, on that certain tract of land belonging to the

State of California and heretofore used by the California Home for the Care and Training of Feeble-Minded Children, in the town of Santa Clara, in said county, an institution for the discipline, education, employment, reformation, and protection of female juvenile delinquents, to be known as "The Santa Clara State School," and to make an appropriation therefor

F J BRANDON, Secretary
By G W McINTYRE, Assistant.

Assembly Bills Nos. 769, 113, 420, 405, and 847 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 3, 1897

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 340—An Act to provide for the purchase of additional land for the Preston School of Industry, at Ione.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Senate Bill No. 340—An Act to provide for the purchase of additional land for the Preston School of Industry, at Ione.

Read first time, and ordered on Senate special file.

Also:

SENATE CHAMBER, SACRAMENTO, March 3, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 372—An Act to amend Sections 739, 769, and 2314 of the Political Code, relating to officers of the Supreme Court and their salaries.

Also: Assembly Bill No. 452—An Act to repeal Sections 626*a*, 626*b*, 626*c*, 626*d*, 626*e*, 626*f*, 626*g*, 626*h*, 626*i*, 627*a*, 627*b*, 627*c*, and 627*d*, and to amend Sections 626 and 627 of the Penal Code of the State of California, relating to game.

Also: Refused second reading to Assembly Bill No. 89—An Act to amend an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved March 26, 1895, by amending Sections 6 and 69 thereof, relating, respectively, to the appointment of a time for the election of an assignee, and to costs in cases of involuntary insolvency.

Also: Assembly Bill No. 375—An Act to confer further powers upon the Boards of Health of the municipalities and counties in this State.

F J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant

CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILLS.

Assembly Bill No. 372—An Act to amend Sections 739, 769, and 2314 of the Political Code, relating to officers of the Supreme Court and their salaries.

The following Senate amendments were submitted:

Amend by striking out of Section 1, line 5, the words "twenty-five" and inserting the following: "eighteen."

Refused to concur.

Also: Amend by striking out of Section 1, line 8, the word "each" and inserting the following: "one."

Refused to concur.

Also: Amend by inserting in Section 1, line 8, after the word "dollars," the words "and one bailiff, twelve hundred dollars."

Refused to concur.

Also: Amend by striking out of Section 1 all of line 7, and inserting the following: "One secretary of the court, twenty-four hundred dollars, and one secretary of the court, twelve hundred dollars."

Refused to concur.

Also: Amend by striking out of Section 1 all of line 6, and inserting the following: "One phonographic reporter, three thousand dollars, and one phonographic reporter, twenty-four hundred dollars."

Concurred in.

Also: Amend by striking out the word "eighteen," on line 5, Section 1, page 1, of printed bill, and inserting in lieu thereof the words "twenty-five."

Refused to concur.

Also: Amend by striking out of line 1, Section 1, of printed bill, the words "twenty-four," and inserting in lieu thereof the word "eighteen."

Refused to concur.

Assembly Bill No. 372 ordered to Senate with information that the Assembly refused to concur in Senate Amendments Nos. 1, 2, 3, 4, 5 and 7, and concurred in Senate Amendment No. 6.

Assembly Bill No. 452 (Substitute for Assembly Bill No. 38)—An Act to amend Section 626 of the Penal Code, relating to fish and game.

The following Senate amendments were submitted:

Amend Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 by inserting after the number of the section sought to be amended or repealed, in each, the words "of the Penal Code."

Also: Insert, between "destroy" and "the," "or offer for sale."

Also: In line 49 insert, between "jail" and "in," "in the county."

Also: Amend by adding, in Section 1, line 7, after the word "duck," the words "except canvasback or bluebill"

Also: In line 30, after the word "duck," add the following: "except canvasback and bluebill."

Also: Amend by striking out of Section 1, line 7, the following words, to wit: "except canvasback or bluebill."

Also: Strike out of Section 1, line 57, "or within."

Also: Strike out of Section 1, line 3, "fifteenth," and insert "first."

Also: In line 4, same section, strike out "February" and insert "March."

Also: Strike out of Section 1, line 4, "fifteen," and insert "first."

Also: Amend by striking out of Section —, lines 32 and 33, the words "except canvasback and bluebill," where they occur on lines 32 and 33 of printed bill.

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. Allen, Anderson, Arnerich, Austin, Bettman, Breiling, Bridgford, Burnett, Burnham, Canavan, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Foreman, Goff, Goodhue, Guy, Houghton, Hudson, Keables, Landsborough, Leavitt, Lindenberger, Mahoney, Melick, Moultrie, Mulcrevy, McCandlish, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Rubell, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, and Waymire—46.

NOES—None.

Assembly Bill No. 17—An Act fixing the minimum rate of compensation for labor on public works.

The following Senate amendments were submitted:

By striking out of line 2, Section 1, the words "the authority of any law of this State or under."

Also: By striking out all of Section 2, and by numbering Section 3 as Section 2.

Also: Insert after the word "party," on line 9, Section 1, the following: "*provided, however*, that this Act shall not apply to persons employed regularly in any of the public institutions of this State, or of any city, city and county, or county."

Also: Amend by striking out of Section 3, line 1, the figure "3," and inserting the following: "2."

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. Aldridge, Allen, Anderson, Arnerich, Austin, Breiling, Bridgford, Burnham, Canavan, Cartwright, Cross, Cutter, Dryden, Elliott, Ennis, Foreman, Goff, Goodhue, Guy, Houghton, Hudson, Keegan, Kelly, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Moultrie, Mulcrevy, McCandlish, North of Yolo, Pohlmann, Power of San Francisco, Price, Rubell, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 14—An Act to amend Section 2955 of the Civil Code of California, respecting the mortgaging of personal property.

The following Senate amendment was submitted:

Amend by striking out of line 31, Section 1, page 2, of the printed bill, the words "and etc."

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. Aldridge, Allen, Anderson, Arnerich, Austin, Bettman, Breiling, Bridgford, Burnham, Canavan, Cartwright, Chynoweth, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Foreman, Goff, Goodhue, Guy, Harris, Houghton, Hudson, Keegan, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Moultrie, Mulcrevy, McCandlish, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Shanahan, Sims, Soward, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr Speaker—55.

NOES—None.

Assembly Bill No. 454—An Act to amend Section 1 of an Act entitled "An Act for the further protection of stockholders in mining companies," approved March 23, 1880.

The following Senate amendments were submitted:

The word "Section" should be inserted at the beginning of line 1 of Section 1; also, insert the words "Section 2" at the beginning of line 1 of Section 2.

Also: Amend by striking out of line 10, page 1 of the printed bill, the words "six tenths," and insert instead thereof the words "two thirds"; also, amend by prefixing before the figure "1," in the first line of the printed bill, the word "Section."

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 Aldridge, Allen, Anderson, Austin, Bettman, Breiling, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Cross, Damon, Dibble, Dryden, Elliott, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Jones, Keegan, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Moultrie, Mulcrevy, McCandlish, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Price, Rubell, Sims, Soward, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 26—An Act to amend Section 15 of an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled "An Act for the relief of the inhabitants of cities and towns upon public lands,"' approved March 2, 1867," approved March 13, 1868.

The following Senate amendments were submitted:

Amend by striking out of Section 1, line 2, the words "amendatory of and supplemental to an Act."

Also: Out of title same words, and also words "approved March 12, 1885."

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 Aldridge, Allen, Anderson, Arnerich, Austin, Bettman, Breiling, Bridgford, Burnham, Cartwright, Chynoweth, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Houghton, Jones, Keegan, Kelly, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Melick, Moultrie, Mulcrevy, McCandlish, North of Alameda, Pohlmann, Price, Robinson, Rubell, Sims, Soward, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 706—An Act authorizing the Clerk of the Supreme Court to furnish his office, and make an appropriation therefor.

The following Senate amendment was submitted:

Add a new section, to be numbered Section 4, to read as follows:

SEC. 4. There shall be open public competition for the work and material described in Section 1 of this Act, and the contract therefor shall be awarded to the lowest responsible bidder or bidders, subject to the approval of the State Board of Capitol Commissioners

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. Aldridge, Allen, Anderson, Arnerich, Bettman, Breiling, Bridgford, Burnett, Burnham, Canavan, Cartwright, Cross, Damon, Dibble, Dryden, Elliott, Ennis, Foreman, Goff, Guy, Harris, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Kenyon, Lacy, Landsborough, Lindenberger, Mahoney, Melick, Mulcrevy, McCandlish, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Sims, Soward, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—52.

NOES—None

SENATE SPECIAL FILE.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Passed on file.

Senate Bill No. 113—An Act to amend Section 685 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.

Senate Bill No. 260—An Act to provide for the purchase of a portrait of ex-Governor John McDougall, by the State Board of Examiners, 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. Aldridge, Allen, Arnerich, Austin, Bettman, Breiling, Bridgford, Caminetti, Canavan, Cartwright, Cross, Damon, Dibble, Dryden, Elliott, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Jones, Keables, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Malcolm, Melick, Mulcrevy, McCandlish, North of Alameda, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Sanford, Sims, Treacy, Valentine, Waymire, Wright, and Mr. Speaker—47.

NOES—Messrs. Anderson, Houghton, Hudson, Power of Placer, Strain, Toland, and Vosburg—7.

Title read and approved.

Senate Bill No. 290—An Act authorizing and empowering the Board of School Trustees of the City of San José, County of Santa Clara, State of California, to erect, construct and build, and maintain, at the expense of the said City of San José, a high school building on the north side of the State Normal School grounds at San José, between Fifth and Sixth streets, in said 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. Aldridge, Allen, Anderson, Arnerich, Austin, Bettman, Bridgford, Burnett, Caminetti, Canavan, Cartwright, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Foreman, Godfrey, Goft, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Jones, Kelly, Kelsey, Lacy, Lindenberger, Malcolm, Melick, Moultrie, Mulcrevy, McCandlish, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Robinson, Rubell, Sanford, Shanahan, Sims, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Senate Bill No. 93—An Act to keep open natural channels, not navigable, which run through agricultural land, and are subject to overflow, to the injury of the land, and the duty of Boards of Supervisors in relation thereto.

Read third time.

Mr. Bridgford moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 1, line 4, after the word "brush," and inserting the following: "affecting the free flow of water therein"

So ordered.

Mr. Bridgford was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER. Your select committee, to whom was referred Senate Bill No 93—An Act to keep open natural channels, not navigable, which run through agricultural land, and are subject to overflow, to the injury of the land, and the duty of Boards of Supervisors in relation thereto—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.

BRIDGFORD, Committee.

Lost.

Mr. Landsborough moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out all after the enacting clause.

Mr. Landsborough was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 93—An Act to keep open natural channels, not navigable, which run through agricultural land, and are subject to overflow, to the injury of the land, and the duty of Boards of Supervisors in relation thereto—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.

LANDSBOROUGH, Committee.

Report adopted.

Senate Bill No. 108—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, and ordered on Senate special file for third reading.

MOTION.

Mr. Landsborough moved to strike out the enacting clause of Senate Bill No. 93.

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California, for the forty-ninth and fiftieth fiscal years.

Mr. Guy moved that the House do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 937.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 937 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California for the forty-ninth and fiftieth fiscal years—and now report progress, and ask leave to sit again.

COOMBS, Chairman.

Mr. Guy moved that Assembly Bill No. 937 be made a special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

REPORT OF SELECT COMMITTEE ON REVISION OF FILES.

SACRAMENTO, March 3, 1897.

MR. SPEAKER: Your select committee on files would respectfully report that they have consulted with the authors of the following bills, and that they have consented that the said bills be stricken from the files:

File No. 20, Assembly Constitutional Amendment No. 1—Dryden.
File No. 21, Assembly Constitutional Amendment No. 2—Dryden.
File No. 22, Assembly Constitutional Amendment No. 3—Dryden.
File No. 51, Assembly Bill No. 18—Valentine
File No. 68, Assembly Bill No 256—Chynoweth.
File No 99, Assembly Bill No. 322—Waymire.
File No. 107, Assembly Bill No. 36—Goff
File No. 110, Assembly Bill No. 440—Waymire
File No. 120, Assembly Bill No. 352—Goff.
File No. 149, Assembly Bill No. 544—Cross
File No. 153, Assembly Bill No. 337—Price.
File No. 218, Assembly Bill No. 580—Cross
File No. 225, Assembly Bill No. 95—Goff.
File No 229, Assembly Bill No. 627—Robinson.
File No 233, Assembly Bill No. 441—Waymire
File No. 267, Assembly Bill No. 837—Melick.
File No. 277, Assembly Bill No. 762—Goff
File No. 287, Assembly Bill No. 562—Henry.
File No. 291, Assembly Bill No. 179—Cross.
File No. 320, Assembly Bill No. 520—Goff.
File No. 321, Assembly Bill No. 107—Goff.
File No. 338, Assembly Bill No. 570—Pohlmann.
File No 339, Assembly Bill No. 572—Pohlmann.
File No. 356, Assembly Bill No. 907—Cross.
File No. 357, Assembly Bill No. 908—Cross.
File No. 358, Assembly Bill No. 910—Cross.
File No. 361, Assembly Bill No 805—Valentine.
File No. 387, Assembly Bill No. 917—Robinson.

File No. 388, Assembly Bill No. 856—Goff.
File No. 409, Assembly Joint Resolution No. 21—Dryden.
File No. 506, Assembly Bill No. 713—Goff.
File No. 114, Assembly Bill No. 202—Guy.
File No. 192, Assembly Bill No. 162—Guy.
File No. 245, Assembly Bill No. 680—Cutter.
File No. 246, Assembly Bill No. 888—Cutter.
File No. 236, Assembly Bill No. 430—McClellan.
File No. 349, Assembly Bill No. 696—McClellan.

To be Withdrawn.

Third-Reading File:

File No. 54, Assembly Bill No. 464—Committee on Revision of Codes and Statutes
File No. 55, Assembly Bill No. 465—Committee on Revision of Codes and Statutes.
File No. 56, Assembly Bill No. 466—Committee on Revision of Codes and Statutes.
File No. 57, Assembly Bill No. 467—Committee on Revision of Codes and Statutes.
File No. 58, Assembly Bill No 468—Committee on Revision of Codes and Statutes.
File No. 59, Assembly Bill No. 469—Committee on Revision of Codes and Statutes.
File No. 60, Assembly Bill No. 470—Committee on Revision of Codes and Statutes.
File No. 72, Assembly Bill No. 601—Committee on Revision of Codes and Statutes.
File No. 73, Assembly Bill No. 602—Committee on Revision of Codes and Statutes.
File No. 74, Assembly Bill No. 603—Committee on Revision of Codes and Statutes.
File No. 75, Assembly Bill No. 604—Committee on Revision of Codes and Statutes.
File No. 76, Assembly Bill No. 605—Committee on Revision of Codes and Statutes.
File No. 117, Assembly Bill No. 310—Dibble.

Second-Reading File:

File No. 148, Assembly Bill No 678—Committee on Revision of Codes and Statutes.
File No. 189, Assembly Bill No. 784—Committee on Revision of Codes and Statutes.
File No. 190, Assembly Bill No. 786—Committee on Revision of Codes and Statutes.
File No. 194, Assembly Bill No. 794—Committee on Revision of Codes and Statutes.
File No. 195, Assembly Bill No. 812—Committee on Revision of Codes and Statutes.
File No. 196, Assembly Bill No. 814—Committee on Revision of Codes and Statutes.
File No. 197, Assembly Bill No. 815—Committee on Revision of Codes and Statutes.
File No. 198, Assembly Bill No. 816—Committee on Revision of Codes and Statutes.
File No. 199, Assembly Bill No. 817—Committee on Revision of Codes and Statutes.
File No. 200, Assembly Bill No. 818—Committee on Revision of Codes and Statutes.
File No. 205, Assembly Bill No. 90—Dibble.
File No. 327, Assembly Bill No. 858—Dibble.

SHANAHAN, Chairman.

RECESS.

At five o'clock and forty minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and forty minutes P. M. Speaker Coombs in the chair.

Quorum present.

MOTIONS.

Mr. Cross moved that Assembly Bill No. 874 be made special order for to-morrow morning, immediately after reading of the Journal.

Motion lost.

Mr. Stansell moved that Senate Bill No. 494 be substituted on the file for Assembly Bill No. 688.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 741—An Act to regulate the salaries of certain officers in the police department within municipalities of the first class in the State of California, and to provide for the appointment and salaries of other officers of such department.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Arnerich, Austin, Belshaw, Bettman, Burnett, Burnham, Canavan, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott,

Ennis, Fontana, Godfrey, Goff, Goodhue, Harris, Hill, Houghton, Jones, Keables, Kelly, Kelsey, Kenyon, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Price, Ryan, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Wright, and Mr. Speaker—54.

NOES—Mr. Rubell—1.

Title read and approved.

Mr. Dibble moved that Assembly Bill No. 741 be immediately transmitted to the Senate.

So ordered.

RESOLUTION.

By Mr. Mead:

Resolved, That Senate Bill No. 463 (10 on the file), Assembly Bill No 354 (14 on the file), Assembly Bill No. 178 (15 on the file), Assembly Bill No 875 (28 on the file), Senate Bill No. 351 (36 on the file), Senate Bill No. 184 (37 on the file), Assembly Bill No. 973 (38 on the file), and Assembly Constitutional Amendment No. 19 (16 on the file) be made special order for Saturday, March 6th, immediately after reading of the Journal.

Adopted.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 936—An Act to provide for the levy and collection of an income tax.

Mr. Shanahan moved that Assembly Bill No. 936 be made a special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

MOTION.

Mr. Kelsey moved that the provision of the Constitution be suspended, that he may be allowed to introduce a bill.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs Aldridge, Allen, Anderson, Austin, Belshaw, Breiling, Burnett, Burnham, Canavan, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Keables, Kelly, Kelsey, Mahoney, Malcolm, Mead, Melick, McCandlish, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Wright, and Mr. Speaker—56.

NOES—Mr. McClellan—1

INTRODUCTION OF BILL.

By Mr. Kelsey: Assembly Bill No. 979—An Act to appropriate money for the payment of interest on the sum of $79,750, being part of the endowment fund of the University of California, heretofore withheld and used for other State purposes, until the State elects to pay said principal sum of $79,750.

Read first time, and placed on file for second reading.

Mr. Kelsey moved that Assembly Bill No. 979 be made a special order for Saturday morning, immediately after reading of the Journal.

So ordered.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 285—An Act for the employment of the homeless and the unemployed, and for the punishment of vagrants.

Read second time.

The following amendments were submitted by Mr. Toland:

Amend by striking out the whole of Section 1 and inserting in lieu thereof:

SECTION 1. The Board of Supervisors of each county in this State shall, at their first regular meeting after the taking effect of this Act, by proper ordinance, provide that each

supervisoral district shall constitute an employment district in such county for the purposes of this Act, and they shall appoint a workmaster for each of said districts, who shall superintend and direct the labor expended under the provisions of this Act on the public highways in such employment district, under the supervision and authority of the Board of Supervisors, for which service he shall receive such compensation as may be fixed by said board, not to exceed three dollars per day of actual service, and be subject to removal from service at any time in the discretion of said board.

Adopted.

Also: Amend by striking out the whole of Section 2 and inserting the following in lieu thereof:

SEC. 2. Any adult person, upon showing to the satisfaction of said workmaster, or the road commissioner, or the Board of Supervisors, or the superintendent of the county farm, that he is homeless and without means of support, and in immediate need of the necessaries of life, shall be employed by such officers, according to their respective authority, to labor on the county farm or the public highways in said county, under direction of the superintendent of said farm, or of the workmaster, as herein provided, for which service he shall receive his lodging and three meals per day, and be paid at the end of each week thirty-five cents per day of eight hours' labor for each day's service, the same to be paid out of any moneys or funds available for the payment of work done upon the roads or upon the county farm upon which the labor was performed, and in the same manner that other service upon such roads or farm is by law authorized to be paid.

Adopted.

Also: Amend by striking out of Section 3, line 4, the word "roadmaster," and insert in lieu thereof, "workmaster or superintendent of the county farm."

Adopted.

Also: Amend by striking out of Section 4, line 1, the words "roadmaster or said Board of Supervisors," and insert in lieu thereof, "workmaster, or the road commissioner, or the Board of Supervisors, or the superintendent of the county farm"

Also: By adding at the end of line 3, Section 4, the words "but any person discharged other than by order of the Board of Supervisors, may, after a hearing, be reinstated by said board.

Adopted.

Also: Amend by striking out of Section 5, line 4, the words "the public highways of" after the word "on," and insert in lieu thereof, "any public roads or highways in."

Adopted.

Also: Amend by striking out of Section 6, line 5, the words "roadmaster of the district," at the beginning of the line, and insert in lieu thereof "workmaster of the employment district"

Adopted.

Also: Amend by striking out of Section 7, at the end of line 5, the words "out of the county general fund upon order of the Board of Supervisors, in the same manner that other county charges are paid"; also, by changing the period at the end of line 5 to a comma.

Adopted.

Also: Amend by striking out of Section 8, line 3, the words "the presentation of satisfactory evidence to," and inserting in lieu thereof the words "showing to the satisfaction of."

Also: By striking out of Section 18, lines 7 and 8, the following words: "tramping the public highways soliciting alms," and inserting in lieu thereof the words "being a vagrant."

Adopted.

Also: Amend by striking out of Section 9, line 1, the word "roadmasters," and inserting in lieu thereof "workmasters."

Adopted.

Also: Amend by striking out of Section 10, line 6, after the word "highways," the period, and inserting a comma instead.

Also: By adding to Section 10, at the end of line 6, the words "and from any employment district to another employment district in their county."

Adopted.

Also: Amend by striking out of Section 11, line 2, the words "yet who," and inserting in lieu thereof the words "and yet"

Also: By striking out of Section 11, line 3, the word "roadmaster," and inserting in lieu thereof the word "workmaster."

Also: By striking out of Section 11, line 6, the words "ninety days," and inserting in lieu thereof the words "for the remainder of his term of sentence."

Adopted.

Also: Amend by striking out of Section 11, lines 13 and 14, the words "in the county farm or on the highway, under the direction of the proper officers herein," and inserting in lieu thereof, "as required by this Act."

Adopted.

Also: Amend by striking out of Section 12, line 3, the word "road," and inserting "employment."

Adopted.

Also: Amend by striking out of Section 13, line 4, the word "road," and inserting in lieu of it the word "employment."

Also: By striking out of Section 13, line 5, the word "his," and inserting the word "their" instead.

Also: By striking out of Section 13, line 7, the word "section," and inserting in lieu thereof the word "Act."

Adopted.

Also: Amend by adding a new section thereto, to be numbered 15, and to read as follows:

"SEC. 15 This Act shall take effect immediately."

Adopted.

Assembly Bill No. 285 ordered to printer, reëngrossment, and third reading.

MOTIONS.

Mr. Toland moved that Assembly Bill No. 285 be made the special order for to-morrow evening, at seven o'clock and thirty minutes.

So ordered.

Mr. Guy moved that the provision of the constitution be suspended, that he may be allowed to introduce a bill.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnett, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Goff, Goodhue, Guy, Hill, Hudson, Keables, Keegan, Kelly, Lindenberger, Malcolm, Mead, Melick, McCandlish, McGrath, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Wright, and Mr. Speaker—55.

NOES—Mr. Boone—1.

INTRODUCTION OF BILL.

By Mr. Guy: Assembly Bill No. 980—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read first time, and placed on file for second reading.

At eight o'clock and thirty-five minutes P. M., the Speaker called Mr. Dibble to the chair.

SPECIAL URGENCY FILE.

Assembly Bill No. 523—An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution; to provide for the support of all inmates therein, and to repeal all Acts or 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. Aldridge, Allen, Anderson, Arnerich, Austin, Bettman, Boone, Burnett, Burnham, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Gately, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Keables. Keegan, Kelsey, Leavitt, Lindenberger, Malcolm, Melick, Mulcrevy, McCandlish, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Vosburg, and Wright—55.

NOES—None

Title read and approved.

Assembly Bill No. 524—An Act to provide for the fencing of the farm property, the further equipment of the farm, and for the laying out and care of the grounds at the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Read second time.

Mr. Price moved that the Assembly do now resolve itself into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Assembly Bill No. 524.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Dibble in the chair.

Assembly Bill No. 524 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Dibble in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 524—An Act to provide for the fencing of the farm property, the further equipment of the farm, and for the laying out and care of the grounds at the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor—and now report the bill back as amended, and recommend that the same do pass as amended.

DIBBLE, Chairman.

The following amendments were submitted:

In Section 2, line 1, strike out the words "twenty-five," and insert the word "fifteen" Also: Strike out the figure "2," in same line, and insert the figure "1."

Adopted.

Assembly Bill No. 524 ordered to printer, engrossment, and third reading.

MOTION TO RECONSIDER.

Mr. Austin moved that the vote by which Senate Bill No. 105 was refused final passage be reconsidered.

So ordered.

Senate Bill No. 105 ordered to retain its place on Senate special file.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 972—An Act to provide for the care of the dependent and wayward classes.

Read third time, and passed on file temporarily.

RESOLUTION.

By Mr. Toland:

Resolved, That the State Printer be and he is hereby directed to renumber the lines of Assembly Bill No. 285 as may be made necessary by the amendments adopted March 4, 1897.

Adopted.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 682—An Act providing for the publication of legal or official advertising.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Burnett, Burnham, Canavan, Cartwright, Clarke, Cross, Damon, Dibble, Dolan, Dryden, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Hill, Houghton, Hudson, Jones, Keables, Kelsey, Lindenberger, Malcolm, Mead, Melick, Moultrie, McCandlish, McClellan, Power of Placer, Price, Rubell, Sanford, Soward, Stansell, Strain, Toland, Treacy, Vosburg, and Wright—48.

NOES—None

Title read and approved.

Assembly Bill No. 810—An Act to amend Section 3 of an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, providing for the submission of the question of reincorporation of such corporations at special 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. Anderson, Arnerich, Austin, Boone, Burnham, Canavan, Cartwright, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Hill, Houghton, Hudson, Jones, Keegan, Lindenberger, Malcolm, Mead, Melick, Moultrie, Mulcrevy, McCandlish, McClellan, North of Yolo, Power of Placer, Price, Robinson, Rubell, Sanford, Soward, Stansell, Strain, Toland, Treacy, Vosburg, and Wright—46.

NOES—Mr. Aldridge—1.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 151—An Act to provide the mode of changing grades of public streets, lanes, alleys, courts, and places within municipalities in the State of California.

Assembly Bill No. 376—An Act to appropriate money for the erection of additional buildings at the Preston School of Industry at Ione, and for furnishing and equipping the same.

Assembly Bill No. 378—An Act to provide for certain improvements at the Preston School of Industry, and making an appropriation therefor.

Assembly Bill No. 402—An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act.

AUSTIN, Chairman.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 828—An Act to provide for the appointment of a mining inspector for the State of California, to define his duties, and provide for his compensation and the liability of mining operators.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Bettman, Burnham, Canavan, Cartwright, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Hill, Jones, Keables, Keegan, Kelsey, Lindenberger, Malcolm, Mead, Melick, Moultrie, McCandlish, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Sanford, Sims, Soward, Strain, Toland, Treacy, Vosburg, and Wright—49.

NOES—Mr. McClellan—1.

Title read and approved.

Senate Bill No. 494—An Act to amend Sections 354, 1487, 1488, 1489, 1490, 1491, 1492, 1497, 1501, 1503, 1505, and 1507, and to repeal Sections 1504 and 1506 of the Political Code, relating to State Normal Schools.

Read second time.

The following amendments were submitted:

By Mr. Arnerich:

Amend by striking out of Section 1, line 19, the words "ninety-seven" and inserting the following: "ninety-nine."

Adopted.

Also: Amend by striking out of Section 2, lines 18 and 19, the words "upon their nominations by the president."

Adopted.

By Mr. Price:

Amend by striking out of Section 1, line 18, the words "or before."

The question being on the adoption of the amendment offered by Mr. Price.

The ayes and noes were demanded by Messrs. North of Alameda, Toland, and Cartwright.

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

AYES—Messrs. Arnerich, Austin, Burnham, Canavan, Clarke, Ennis, Harris, Kelsey, Kenyon, Leavitt, Malcolm, North of Alameda, North of Yolo, Price, Sims, and Wright—16.

NOES—Messrs. Aldridge, Allen, Anderson, Belshaw, Boone, Bridgford, Burnett, Caminetti, Cartwright, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Hill, Houghton, Hudson, Jones, Keegan, Lacy, Lindenberger, Mahoney, Mead, Melick, Moultrie, Mulcrevy, McCandlish, McClellan, McGrath, Pohlmann, Power of Placer, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, and Waymire—52

Mr. Toland moved that the vote by which Amendment No. 1 to Senate Bill No. 494 was adopted be reconsidered.

The question being on the adoption of the motion of Mr. Toland to reconsider.

The ayes and noes were demanded by Messrs. Toland, Shanahan, and Caminetti.

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

AYES—Messrs Aldridge, Allen, Belshaw, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Emmons, Foreman, Gately, Godfrey, Houghton, Keegan, Lacy, Mead,

Melick, Moultrie, Mulcrevy, McCandlish, McClellan, Rubell, Sanford, Shanahan, Stansell, Toland, and Treacy—28.

NOES—Messrs Anderson, Arnerich, Austin, Bettman, Burnham, Canavan, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Ennis, Goff, Goodhue, Guy, Harris, Hill, Hudson, Jones, Kelly, Kelsey, Kenyon, Leavitt, Malcolm, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Sims, Soward, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—41.

Senate Bill No. 494 ordered to printer, engrossment, and third reading.

Mr. Burnham asked unanimous consent to submit report of Committee on County and Township Governments, out of order.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Senate Bill No. 136—An Act to establish a uniform system of county and township governments—with instructions to prepare the same for printing, with amendments proposed by the committee, have had the same under consideration, and respectfully report the same back, arranged as per instructions.

BURNHAM, Chairman.

Senate Bill No. 136 ordered to printer, with instructions to print as compiled, with proposed amendments.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 972—An Act to provide for the care of the dependent and wayward classes.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Austin, Belshaw, Boone, Bridgford, Burnett, Burnham, Camimetti, Canavan, Cartwright, Clarke, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Kelly, Leavitt, Lindenberger, Mahoney, Mead, Melick, Moultrie, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Ryan, Soward, Stansell, Strain, Treacy, Valentine, Vosburg, and Waymire—52.

NOES—Mr Keegan—1.

Title read and approved.

PETITIONS—(OUT OF ORDER).

Mr. Dryden presented two lengthy petitions asking the passage of Assembly Bill No. 647 and Senate Bill No. 353, providing for a board of examiners for the State Therapeutic College.

Referred to Committee on Public Health and Quarantine.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 789—An Act to amend Section 309 of the Civil Code of California, relating to the liability of directors of corporations, and providing for the enforcement of the same.

Read second time.

The following amendments were submitted:

Amend Section 309, line 7, by inserting, after the word "stock," the words "except as hereinafter provided."

Also: In lines 8, 9, and 10, strike out the words "nor must they divide, withdraw, or pay to the stockholders, or any of them, any part of the capital stock, except as hereinafter provided."

Adopted.

Assembly Bill No. 789 ordered to printer, engrossment, and third reading.

Assembly Bill No. 647—An Act to provide for the establishment of a board of examiners for the California State Therapeutic Society and College.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 942—An Act to provide for the auditing and examination of the claims against the State of soldiers who served in the Indian wars in California, during the years from 1847 to 1857, to authorize the Adjutant-General to appoint a clerk for that purpose, and making an appropriation for his salary.

Read second time.

Mr. Shanahan moved that the House do now resolve itself into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Assembly Bill No. 942.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Dibble in the chair.

Assembly Bill No. 942 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Dibble in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 942—An Act to provide for the auditing and examination of the claims against the State of soldiers who served in the Indian wars in California, during the years from 1847 to 1857, to authorize the Adjutant-General to appoint a clerk for that purpose, and making an appropriation for his salary—and now report the same back, and recommend that the same do pass.

DIBBLE, Chairman.

Adopted.

Assembly Bill No. 942 ordered engrossed and to third reading.

Assembly Bill No. 667—An Act to amend Section 595 of the Civil Code of the State of California, relating to religious, social, and benevolent associations.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 743—An Act to amend Section 3342 of the Political Code of the State of California, and to add a new section thereto, to be known as Section 3346 thereof, all relating to volunteer fire departments.

Read second time, and ordered to engrossment and third reading.

Mr. Pohlmann moved that the rules be suspended, and Assembly Bill No. 743 made special order for to-morrow, at two o'clock P. M.

Motion lost.

Assembly Bill No. 926—An Act giving a lien to blacksmiths, woodworkers, and all other persons employed upon any vehicle or implement of husbandry, for labor performed or material furnished upon the same, and providing for liens upon horses and other animals for the cost of shoeing the same.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 849—An Act to authorize the Superintendents of Streets of municipalities in this State to enter into contracts for work upon public streets in said municipalities, and to provide a lien for the expense thereof, and for suits to foreclose said liens.

Read second time, and ordered to engrossment and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 32—An Act to amend Sections 2633, 2642, 2643, 2645, 2652, and 2711 of the Political Code of the State of California, and to add one new section to said Code, to be known as Section 2710, relating to highways and the powers and duties of highway officers—have had the same under consideration, and respectfully report the same back with a substitute therefor, and recommend that the substitute do pass.

CLARKE, Chairman.

The question being, "Shall the constitutional provision be suspended, and the Committee on Roads and Highways permitted to introduce a bill?"

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Boone, Burnett, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Gately, Goff, Goodhue, Guy, Harris, Hill, Hudson, Jones, Keables, Kelly, Kelsey, Lacy, Leavitt, Lindenberger, Mahoney, Mead, Melick, Moultrie, Mulcrevy, McCandlish, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Rubell, Ryan, Sanford, Sims, Soward, Strain, Toland, Valentine, Vosburg, and Wright—54.

NOES—None.

INTRODUCTION OF BILL.

By Committee on Roads and Highways: Assembly Bill No. 981—An Act for the establishment of a uniform system of road government and administration in the counties of the State of California.

Read first time, and placed on file for second reading.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 392—An Act to amend Section 499 of the Civil Code, relating to street railways operated under different managements.

Read second time.

Mr. Valentine moved that Senate Bill No. 392 be placed at the head of the Senate special file, pending amendments.

So ordered.

Assembly Bill No. 943—An Act to repeal an Act entitled an Act regulating the sale of mineral lands belonging to the State, approved March 28, 1874, and the Acts amendatory thereof, and to provide for the sale of mineral lands under United States laws.

Read second time, and ordered to engrossment and third reading.

Mr. Soward moved to make Assembly Bill No. 943 a special order for to-morrow morning, immediately after reading of the Journal.

Motion lost.

Assembly Bill No. 379—An Act to provide for the purchase of additional land for the Preston School of Industry at Ione, and making an appropriation therefor.

Mr. Caminetti moved that he be allowed to withdraw Assembly Bill

No. 379, and that Senate Bill No. 340 take its place on the file, the same being on the unfinished-business file.

So ordered.

Assembly Bill No. 362—An Act entitled an Act to amend the Political Code by adding a new section prohibiting the imposing of a license upon any person soliciting orders for the sale of any articles manufactured or produced in this State, which, under the laws of the United States, cannot be legally imposed upon persons soliciting orders for the sale of like articles manufactured in any of the States of the United States.

Passed on file.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 741—An Act to regulate the salaries of certain officers in the police department within municipalities of the first class, in the State of California, and to provide for the appointment and salaries of other officers of such departments.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Assembly Bill No. 620—An Act to amend Sections 6 and 25 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 as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners, and adding three new sections thereto, to be numbered 28, 29, and 30, respectively.

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. Toland moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Anderson, Arnerich, Burnett, Burnham, Caminetti, Cartwright, Clark, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Hill, Hudson, Keables, Keegan, Kelly, Kelsey, Leavitt, Mahoney, Malcolm, Melick, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Sanford, Shanahan, Sims, Soward, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright

Mr. North, of Alameda, moved that further proceedings under call of the House be dispensed with.

So ordered.

The Speaker then announced the result of the roll call, and Assembly Bill No. 620 was refused passage by the following vote:

AYES—Messrs Aldridge, Allen, Austin, Boone, Burnham, Caminetti, Canavan, Cartwright, Clarke, Damon, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Hill, Houghton, Hudson, Keables, Keegan, McCandlish, McGrath, Price, Rubell, Sanford, Shanahan, and Treacy—30.

NOES—Messrs. Arnerich, Belshaw, Burnett, Cross, Cutter, Dibble, Jones, Leavitt, Malcolm, Melick, North of Alameda, North of Yolo, Power of Placer, Robinson, Sims, Soward, Strain, Toland, Valentine, Vosburg, Waymire, and Wright—22.

NOTICE OF RECONSIDERATION.

Mr. Toland gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 620 was refused final passage.

MOTIONS.

Mr. Cross moved that the rules be suspended, and that Assembly Bill No. 842 be made a special order for to-morrow morning, immediately after reading of the Journal.

Mr. Caminetti moved to amend by adding Assembly Bill No. 314 to the special order.

Lost.

Mr. Cross's motion lost.

ADJOURNMENT.

At eleven o'clock and ten minutes P. M., on motion of Mr. Price, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 5, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, McCandlish, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Wednesday, March 3d, was approved as corrected.

RESOLUTIONS.

By Mr. North, of Yolo:

Resolved, That a committee of three be and is hereby constituted, the Speaker of the Assembly being one of said committee and the other members thereof to be appointed by the Speaker, to confer with a Senate committee for the purpose of considering a proper mode of parliamentary procedure under the joint rules of the two houses, the abrogation of certain rules, if necessary, and to report the result of said conference to the two houses. Also, to report upon the advisability of suggesting, at this time, a day of adjournment of the Legislature.

Adopted.

By Mr. Dryden:

WHEREAS, In the rush and confusion arising from anticipated adjournment, a necessity exists for a more rigid enforcement of the rules of the Assembly, to the end that dispatch and certainty in the final passage of bills may be secured, therefore, be it

Resolved, That no persons except Senators, State officers, Governors and ex-Governors of the State, members of Congress, Judges of the Supreme or Superior Courts, members of the press when accredited by their respective journals, and Assembly clerks, shall be admitted within the Assembly chamber, except in the galleries, lobby, and in seats around the rail between the lobby and the body of the House during the session of the House; but a majority may have the floor and any and all other portions of the House cleared of any or all such persons Also, persons may be admitted by consent of the House on special request. The Speaker is charged with the enforcement of this rule

Mr. Leavitt moved that the resolution offered by Mr. Dryden be referred to Committee on Rules and Regulations.

So ordered.

MOTIONS.

Mr. Shanahan moved that the report of the committee to revise the file, as published in yesterday's Journal, be amended so as to strike off their list Assembly Constitutional Amendments Nos. 1, 2, and 3, and retain their place on the file.

So ordered.

On motion of Mr. Shanahan, said report, as amended, was adopted.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No 936—An Act to provide for the levy and collection of an income tax

Also: Assembly Bill No. 842—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California

AUSTIN, Chairman.

APPOINTMENT OF COMMITTEE.

The Speaker announced the appointment of the committee on conference, under instructions of resolution offered by Mr. North, of Yolo, as follows: Messrs. Coombs, North of Yolo, and Burnett.

At ten o'clock and thirty minutes A. M., the Speaker called Mr. Sims to the chair.

SPECIAL ORDERS.

Assembly Bill No. 872—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in the State.

Read second time.

The following amendments were submitted:

Amend by striking out all after the enacting clause, and inserting the following:

SECTION 1. The following county, township, and other officers shall charge and collect the following fees:

FEES OF COUNTY CLERK.

On the commencement of any civil action or special proceeding in the Superior Court of any county, or city and county, in the State (excepting a probate or guardianship proceeding), five dollars; for filing papers on appeal, two dollars

On filing petition for letters of administration, or administration with will annexed, for letters testamentary, or for appointment of a guardian, five dollars; *provided*, that at the time of filing the inventory and appraisement in any such proceeding there shall be paid the additional sum of one dollar for each additional thousand dollars or majority fraction thereof of the appraised valuation in excess of two thousand dollars.

Also, to be added in each of the above, except in an appeal from a Justice Court, as provided in "An Act entitled an Act to establish law libraries," approved March thirty-first, eighteen hundred and ninety-one, the additional sum of one dollar.

On filing petition to contest any will or codicil, or to revoke any letters of administration, testamentary, or of guardianship, three dollars.

On the appearance of a defendant or cross-complainant, or of more than one defend-

ant or cross-complainant, or complainant in intervention, appearing together in any civil action, or special proceeding, in any Superior Court of this State (excepting in a probate or guardianship proceeding), and by a respondent upon filing the first paper on an appeal to said Superior Court, the sum of two dollars, and for every subsequent appearance by any defendant, or by more than one defendant appearing together in any such action or proceeding, other than said excepted proceeding, one dollar (payable upon appearing).

On placing any contested civil action or special proceeding (other than probate or guardianship proceeding, or default case) on the trial calendar to be set for trial, to be paid but once, and then by the party at whose request such action or proceeding is placed on the calendar, and at the time the same is placed thereon, two dollars.

The foregoing fees shall be in full for all services rendered by such clerk in the cause, to and including the making up of the judgment roll.

On the filing, registering, and docketing of an abstract of judgment rendered in a Justice Court, two dollars, and for issuing an execution thereon, one dollar.

On filing any notice of motion to move for a new trial of any civil action or proceeding, the party filing the same shall pay to the clerk, in full for all services to be rendered in connection with said motion, two dollars.

For any copy of any record, proceeding, or paper on file in the office of the clerk, when such copy is made by him, per folio, ten cents

For examining and certifying to a copy of any paper, record, or proceeding prepared by another, and presented for his certificate, fifty cents.

In all proceedings begun or acts performed prior to this Act becoming a law, such fees and charges as were provided by law at the time such proceedings were begun or acts performed

The Clerk shall also collect and charge the following fees and compensation, not above provided for:

For each certificate of the clerk, under seal of the court, twenty-five cents.

For mailing each notice in insolvency proceedings, ten cents

For services rendered by the clerk not in connection with civil actions or proceedings in court, he shall charge and collect, for the benefit of the county, the following fees:

For issuing marriage license, including affidavit (one dollar of which is to be paid to the County Recorder), two dollars and fifty cents.

For taking an affidavit, except in criminal cases and as otherwise herein excepted, twenty-five cents.

For filing and indexing articles of incorporation and certified copy thereof, issued at the same time, five dollars.

For filing and indexing certificates of copartnership and certified copy thereof, issued at the same time, five dollars.

For recording and registering each medical, dental, or other certificate required by law, one dollar.

For filing and indexing all papers to be kept by him, other than papers filed in actions or proceedings in court, and except such papers and documents as are hereinafter exempt from charge, twenty-five cents.

For making satisfaction of or credit of judgment, fifty cents.

For receiving and filing remittitur and accompanying papers from the Supreme Court, fifty cents.

For filing bond, issuing certificate, and qualifying of a notary public, one dollar.

For taking and approving each undertaking, and the justification thereof, except in criminal cases, fifty cents.

For searching files or records kept by such clerk, for each year, fifty cents.

For taking acknowledgment of any deed or other instrument, including certificate, fifty cents for the first name, and twenty-five cents for each additional name.

For making transcript of docket, with certificate certifying to same, fifty cents.

No fees or other compensation shall be paid for the issuance of the original certificate of declaration to become a citizen of the United States, or for making a record thereof, or for issuing a certificate of citizenship, or making a record thereof; but the issuance of subsequent copies thereof shall be paid for, the same as other certified copies

No fees or other compensation shall be paid for services rendered in any criminal case, or in an affidavit or application relating to the securing of a pension, for swearing to a pension voucher, or matters relating thereto, nor for filing or swearing to any demand or claim against any county in this State, nor against the State, nor for administering oaths as clerk of the Board of Supervisors, in matters pending before such board, nor for filing and indexing Coroners' inquisitions of deceased persons, nor for filing the report of any county officer or officers, nor in any proceeding relating to the examination or commitment of insane persons.

No fees or other compensation shall be paid for filing the statement, vouchers, or affidavit of a committee or candidate voted for at any public election held within this State, nor for filing certificate of nomination by any committee or candidate to be voted for at any public election held within this State, nor for filing official bonds or certificates of election or appointment of any public officer or deputy.

For services rendered in application for government homesteads, including the necessary affidavits, two dollars.

For taking final proof of settlers to homestead entry, including affidavits, five dollars.

For transmitting papers pursuant to motion for change of venue, two dollars, to be paid to the County Clerk of the county in which such motion is made.

For filing the papers in any action or proceeding brought to the county pursuant to

motion for change of venue, two dollars, to be paid by the party making such motion, or if he fails so to do, by the party wishing to bring such action or proceeding to a hearing.

SHERIFF.

For serving any process, writ, order, or paper, except as hereinafter provided, required by law to be served by the Sheriff, fifty cents

For serving a writ of attachment, execution, or order for the delivery of personal property, one dollar.

For taking any bond or undertaking, fifty cents.

For serving an attachment or execution on any ship, boat, or vessel, three dollars.

For keeping and caring for property under attachment or execution, the sum of three dollars per day shall be paid to and allowed each Sheriff for the service of a keeper when necessarily employed.

For a copy of any writ, process or paper actually made by him, when required or demanded according to law, per folio, ten cents, *provided*, that when correct copies are furnished to him for use, no charge shall be made for such copies.

For advertising sale of property and posting notice, exclusive of cost of publication, or furnishing notice for publication, each fifty cents.

For publication of notice in newspaper, the reasonable cost of publication, subject to the approval of the court.

For serving writ of possession or restitution, putting a person in possession of the premises, and removing the occupants, three dollars.

For subpœnaing witnesses, including copy of subpœna, each twenty-five cents

For summoning trial jury of twelve or less, two dollars; for each additional juror, ten cents.

For traveling in the service of any paper required by law to be served, there shall be allowed and paid to each Sheriff, to be by him retained, for each mile actually and necessarily traveled, one way only, fifteen cents, when such travel can be made by rail; in other cases, twenty-five cents. No constructive mileage to be allowed.

For collecting money on execution, with or without levy, one per cent on the first thousand dollars or less, and one half of one per cent on all sums over one thousand dollars.

For executing and delivering Sheriff's deed, one dollar and fifty cents.

For transporting prisoners to the county jail, the actual cost of such transportation.

For executing and delivering any other instrument, ten cents per folio.

RECORDER.

For recording every instrument, paper, or notice required by law to be recorded, per folio, fifteen cents; *provided*, that crop mortgages and notices of liens shall be recorded at the rate of ten cents per folio.

For indexing every instrument, paper, or notice, for each name, ten cents

For filing every instrument for record, and making the necessary entries thereon, twenty cents

For each certificate under seal, twenty-five cents.

For every entry of discharge, credit, or release on the margin of record, and indexing same, fifty cents.

For abstract of title, for each conveyance or incumbrance, thirty-five cents.

For recording each map, or plat, where the same is copied in a book of record, for each course, fifteen cents.

For recording each map, or plat, where the same is not copied in a book of record, one dollar

For figures or letters on maps or plats, per folio, ten cents, *provided*, that the fee for recording any map shall not exceed seventy-five dollars

For taking acknowledgment of any instrument, fifty cents for the first name, and for each additional name, twenty-five cents

For recording marriage license and certificate, to be paid by the County Clerk, one dollar.

For recording transcript, and all services in estray cases, one dollar.

For recording each mark or brand, fifty cents.

For administering each oath or affirmation, and certifying the same, twenty-five cents.

For filing, indexing, and keeping each paper not required by law to be recorded, twenty-five cents

No fees or compensation shall be charged for recording statements of expense incurred by any candidate or committee who are by law required to file such statements

The Clerk, Sheriff, and Recorder shall account for all fees in this section provided for, and the Clerk, Sheriff, and Recorder, unless otherwise provided by law, shall pay the same to the County Treasurer on the first Monday of the month following their collection, as provided in this Act.

CONSTABLES AND MARSHALS.

For serving summons and complaint, for each defendant served, fifty cents.

For each copy of summons for service, when made by him, twenty-five cents.

For levying writ of attachment or execution, or executing order of arrest, or for the delivery of personal property, one dollar and fifty cents.

For serving writ of attachment or execution on any ship, boat, or vessel, three dollars.

For keeping personal property, such sum as the court may order; but no more than two dollars per day shall be allowed for a keeper when necessarily employed.

For taking bond or undertaking, fifty cents

For copies of writs and other papers, except summons, complaint, and subpœnas, per folio, ten cents, *provided*, that when correct copies are furnished him for use, five cents per folio may be charged by him.

For serving any writ, notice, or order, except summons, complaint, or subpœnas, for each person served, fifty cents.

For writing and posting each notice of sale of property, fifty cents.

For furnishing notice for publication, fifty cents.

For serving subpœnas, each witness, including copy, twenty-five cents.

For collecting money on execution, one and one half per cent.

For executing and delivering certificate of sale, fifty cents.

For executing and delivering Constable's deed, two dollars.

For each mile actually traveled within his township in the service of any writ, order, or paper, except a warrant of arrest, in going only, twenty cents per mile.

For traveling outside of his township to serve such writ, order, or paper, in going only, fifteen cents; *provided*, that the Constable shall not be required to travel outside of his township to serve any civil process, order, or paper. No constructive mileage allowed.

For each mile necessarily traveled within his county in executing a warrant of arrest, both in going and returning from place of arrest, fifteen cents; *provided*, that for traveling in the performance of two or more official services at the same time, including the service of civil process or criminal warrants, or transportation of persons charged or convicted of a criminal offense, but one mileage shall be charged.

For each mile necessarily traveled outside his county, in executing a warrant of arrest, both in going and returning from place of arrest, ten cents; *provided*, that for traveling in the performance of two or more official service at the same time, including the service of civil process or criminal warrants, or transportation of persons charged or convicted of a criminal offense, but one mileage shall be charged.

For executing a search warrant, such fees and mileage as may be allowed for executing warrant of arrest.

For arresting prisoner, other than a vagrant, and bringing him into court, two dollars.

For arresting a vagrant, and bringing him into court, twenty-five cents

For summoning a jury, two dollars, including mileage

For transporting prisoners to the county jail, the actual cost of such transportation and fifteen cents per mile, in going only.

For making sales of estrays in civil cases, the same fees as for sales on execution.

For commissions for receiving and paying over money on execution or other process when lands or personal property have been levied on and sold, on the first thousand dollars, one and one half per cent On all sums above that amount, one per cent

For commissions for receiving and paying over money on execution without levy, or when the goods or land levied on shall not be sold, one per cent. The fees herein allowed for the levy of an execution, and for advertising, and for making or collecting the money on execution, shall be collected from the judgment debtor, by virtue of such execution, in the same manner as the sum therein directed to be made.

For serving writ of possession or restitution, putting a person in possession of the premises, and removing the occupants, three dollars.

For attending court, twenty-five cents for each hour actually engaged in attending the trial of the case or upon the examination of a criminal charge before a magistrate.

County officers must, and township officers may, demand the payment of all fees in civil cases in advance.

JUSTICES OF THE PEACE.

Justices of the Peace may charge and collect the following fees and no others.

In a civil action before him, for all services to be performed by him before trail, two dollars; and for the trial and all proceedings subsequent thereto, including all affidavits, swearing witnesses and jury, and the entry of judgment and issue of execution thereon, three dollars; and twenty-five cents for each hour actually engaged in such trial; and in all cases where judgment is rendered by default or confession, for all services, including execution and satisfaction of judgment, two dollars.

For copies of papers on docket, per folio, fifteen cents.

For issuing a search warrant, to be paid by the party demanding the same, fifty cents.

For certificate and transmitting transcript and papers on appeal, two dollars.

For celebrating a marriage, and returning a certificate thereof to the County Recorder, three dollars

For taking an acknowledgment of any instrument, for the first name, fifty cents; for each additional name, twenty-five cents

For issuing a commission to take testimony, fifty cents.

For all services in a criminal action or proceeding, whether on examination or trial, three dollars; and twenty-five cents for each hour actually engaged in the trial or hearing of such action or proceeding.

For taking depositions, per folio, fifteen cents.

For administering an oath and certifying the same, twenty-five cents
For taking bail after commitment by another magistrate, fifty cents
For all service connected with the posting of estrays, one dollar.

In cases before the Justice of the Peace when the venue shall be changed, the justice before whom the action shall be brought, for all service rendered, including the making up and transmission of the transcript and papers, shall receive one dollar, and the justice before whom the trial shall take place shall receive the same fee as if the action had been commenced before him

For performing the duties of Coroner, when the Coroner fails to act, the same fees and mileage as are allowed the Coroner in like cases.

For issuing each process, writ, or order, or paper, required by law to be issued, not otherwise herein provided for, twenty-five cents

For administering oath or affirmation not otherwise herein provided for, twenty-five cents

For each certificate or affidavit not otherwise herein provided for, twenty-five cents

For taking and approving bonds or undertaking, including the justification of sureties, fifty cents.

JURORS' FEES.

Jurors' and witness' fees shall be as follows:

For attending as a juror in the Superior Court, for each day's attendance, per day, two dollars and fifty cents

For attending Justice's Court, for each juror sworn to try the cause, per day, in civil cases only, two dollars.

For each mile actually traveled in attending court as a juror, except in criminal cases in Justice's Court, for which no allowance shall be made, in going only, per mile, twenty-five cents.

WITNESS FEES.

For each day's actual attendance, when legally required to attend, upon the Superior Court, per day, two dollars in civil cases, and one dollar and fifty cents in criminal cases.

Mileage actually traveled, one way only, per mile, ten cents; *provided, however*, that in criminal cases such per diem and mileage shall only be allowed upon a showing to the court by the witness that the same are the necessary expenses of the witness in attending, and the court shall determine the correctness of the same, and may disallow any fees to a witness unnecessarily subpœnaed

For each day's attendance upon Justice's Court, in civil cases only, when legally required to attend, per day, one dollar.

For each mile actually traveled, in civil cases only, in Justice's Court, in going only, ten cents

Witnesses in civil cases may demand the payment of their mileage and fees for one day in advance, and when so demanded shall not be compelled to attend until the same have been paid.

PUBLIC ADMINISTRATOR.

The Public Administrator shall be allowed commissions upon the amount of estate accounted for by him, as follows: For the first thousand dollars, at the rate of seven per cent; for all above that sum, and not exceeding ten thousand dollars, at the rate of five per cent, for all above ten thousand dollars, and not exceeding twenty thousand dollars, at the rate of four per cent; for all above twenty thousand dollars, and not exceeding fifty thousand dollars, at the rate of three per cent; for all above fifty thousand dollars, and not exceeding one hundred thousand dollars, at the rate of one per cent. In all cases such further allowance may be made as the court may deem just and reasonable for any extraordinary service, but the total amount of such extra allowance must not exceed one half the amount of commissions allowed by this section. When the property of the estate is distributed in kind, and involves no labor beyond the custody and distribution of the same, the commission shall be computed on all the estate above the value of twenty thousand dollars at one half of the rate fixed in this section. All contracts between an administrator and an heir, devisee, or legatee, for a higher compensation than that allowed by this section, shall be void.

He may also charge and collect for all necessary expense in the care, management, and settlement of any estate upon which he administers, including reasonable fees paid to attorneys for conducting the necessary proceedings or suits in court.

CORONER.

Coroners may charge and collect the following fees and no others:

For general service in holding an inquest, ten dollars

For each witness subpœnaed, twenty-five cents

For each mile necessarily traveled in going to the place of the inquest, twenty-five cents

For directing and attending the interment of each body upon which an inquest has been held, two dollars; which fees shall be all that he shall be entitled to charge.

When acting as or in the place of a Sheriff, the same fees as are allowed the Sheriff for like services.

COUNTY SURVEYOR.

The County Surveyor shall charge and collect ten dollars for each day actually engaged in the field in making surveys where required by law, and in doing office work in connection therewith

SEC. 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

SEC. 3. This Act shall take effect immediately.

The following amendments were offered:

By Mr. Dibble:

AMENDMENT No. 1.

Amend by inserting after the word "proceeding," in line 6 of the printed bill, the following: "or for filing papers in an action or special proceeding transferred from another county, other than papers of any of said excepted proceedings, to be paid by the party commencing such action or proceeding, or filing such papers on transfer from another county, five dollars."

Adopted.

AMENDMENT No. 2.

Amend by inserting after line 7 of the printed bill the following: "for indexing each additional name over six, five cents."

Adopted.

AMENDMENT No. 3.

Amend by inserting after the word "guardian," in line 10 of the printed bill, the following: "or on filing of papers on transfer of any probate or guardianship proceeding from another county."

Adopted.

AMENDMENT No. 4.

Amend by striking out in line 33 of printed bill the word "appearing," and inserting the following: "filing the first paper filed by him or them in said action or proceeding"

Adopted.

AMENDMENT No. 5.

Amend by striking out all on lines 34, 35, 36, 37, 38, and 39 of printed bill, and inserting the following: "On placing any civil action or special proceeding (other than a probate or guardianship proceeding or default case) on the trial calendar to be set for trial or hearing, to be paid but once, and then by the party at whose request such action or proceeding is placed on the calendar, and at the time the same is placed thereon, *including the entry of judgment, three dollars; for entry of default judgments by the* clerk or upon order of court, and for entry of judgment of dismissal by the clerk, two dollars; for recording interlocutory decree, one dollar."

Adopted.

AMENDMENT No. 6.

Amend by inserting between lines 51 and 52 of the printed bill the following: "For filing notices of appeal and appeal bonds, each twenty-five cents."

Adopted.

AMENDMENT No. 7.

Amend by inserting between lines 54 and 55 of printed bill the following: "For issuing any writ of possession or writ of assistance, one dollar; for the exemplification of any record of any action or proceeding (not including the charges allowed for copying or comparing the same), one dollar."

Adopted.

AMENDMENT No. 8.

Amend by inserting after the word "cents," in line 57 of printed bill, the following: "and three cents per folio for comparing the said copy with the original; for recording any judgment in excess of ten folios, five cents per folio additional."

Adopted.

AMENDMENT No. 9.

Amend by striking out of line 64 of the printed bill the words "twenty-fivecents," and inserting the following: "other than clerk's certificate to dismiss appeal, fifty cents"

Adopted.

AMENDMENT No. 10.

Amend by inserting between lines 77 and 78 of printed bill the following: "For clerk's certificate to dismiss appeal, when compiled by clerk, two dollars and fifty cents; for clerk's certificate to dismiss appeal, when compiled by attorney, one dollar."

Adopted.

AMENDMENT No. 11.

Amend by striking out of line 84, in printed bill, the words "for making satisfaction of or credit of judgment, fifty cents," and inserting the following: "For filing satisfaction of or credit on judgment, or the docketing of deficiency judgment upon return of order of sale, twenty-five cents."

Adopted.

AMENDMENT No. 12.

Amend by inserting after the word "cents" in line 97 of printed bill, the following: "for each additional judgment debtor thereon, ten cents."

Adopted.

AMENDMENT No. 13.

Amend by striking out from and including the word "no," in line 98, down to and including the word "copies," in line 103, of printed bill, and inserting the following: "The clerk shall collect, for the benefit of the county, the sum of one dollar and fifty cents for a certificate of declaration to become a citizen of the United States or for making a record thereof, or for issuing a certificate of citizenship or making a record thereof."

Adopted.

AMENDMENT No. 14.

Amend by striking out of printed bill all of lines 126, 127, 128, 129, 130, 131, 132, and 133.

Adopted.

By Mr. North, of Alameda:

AMENDMENT No. 15.

Amend by striking out of page 5, line 138, the word "by" after the words "dollar and fifty cents."

Adopted.

AMENDMENT No. 16.

Amend by striking out of page 5, line 148, the word "ten," and inserting the following: "fifteen."

Adopted.

Mr. Shanahan moved to reconsider the vote by which Amendment No. 16, offered by Mr. North, of Alameda, was adopted.

So ordered.

By unanimous consent, Mr. North, of Alameda, was allowed to withdraw Amendment No. 16, offered by himself.

By Mr. North, of Alameda:

AMENDMENT No. 17.

Amend by striking out of page 7, line 231, the word "ten" and inserting the following: "fifteen."

Adopted.

AMENDMENT No. 18.

Amend by striking out of page 7 lines 236, 237, and 238, and inserting the following: "for advertising property for sale on execution or under any judgment or order of sale, exclusive of the cost of publication, one dollar"

Adopted.

Mr. Toland moved that the vote by which Amendment No. 18, offered by Mr. North, of Alameda, was adopted, be now reconsidered.

Motion lost.

By Mr. North, of Alameda:

AMENDMENT No. 19.

Amend printed bill by striking out of page 8, line 247, the words "outside of his township to serve," and inserting the following: "in executing."

Adopted.

AMENDMENT No 20.

Amend printed bill by striking out of page 8, line 248, the word "fifteen," and inserting the following: "twenty."

Adopted.

AMENDMENT No. 21.

Amend printed amended bill by striking out of page 8, line 248, all after the word "cents," to and including the word "paper," on line 250, page 8.

Adopted.

AMENDMENT No. 22.

Amend printed amended Assembly Bill No. 872 by striking out of page 8, line 254, the word "fifteen" and inserting the following. "twenty"

Lost.

AMENDMENT No. 23.

Amend printed amended Assembly Bill No. 872 by striking out of page 8, line 261, the word "ten" and inserting the following: "twenty."

Lost.

At twelve o'clock and five minutes P. M. the Speaker resumed the chair.

AMENDMENT No. 24.

Amend printed amended Assembly Bill No 872 by striking out of page 8, line 268, the words "other than a vagrant."

Lost.

AMENDMENT No. 25.

Amend printed amended Assembly Bill No. 872 by striking out of page 8, line 270, the words "twenty-five cents," and inserting the following: "one dollar."

Mr. Belshaw moved to amend the amendment of Mr. North by striking out "one dollar," and inserting "fifty cents."

Lost.

Mr. North moved that he be allowed to withdraw Amendment No. 25, offered by himself.

So ordered.

Mr. Shanahan moved that Assembly Bill No. 872 be made special order for this afternoon, immediately after consideration of the appropriation bill.

So ordered.

Mr. Shanahan moved that the hour of recess be extended thirty minutes.

Motion lost.

Mr. Burnham moved that the hour of recess be extended fifteen minutes.

So ordered.

Mr. Bettman moved that when the Assembly takes a recess it be until two o'clock and thirty minutes P. M.

Motion lost.

By Mr. North, of Alameda:

AMENDMENT No 26.

Amend printed amended Assembly Bill No. 872, page 8, line 272, by inserting the following after the word "dollars": "for each additional juror, ten cents."

Lost.

AMENDMENT No. 27.

Amend printed amended Assembly Bill No. 872 by striking out of page 10, line 315, the word "the" and all of lines 316 and 317, and inserting the following: "each name, fifty cents."

Lost.

At twelve o'clock and forty minutes P. M., Mr. Cutter moved that the hour of recess be extended until one o'clock P. M.

So ordered.

By Mr. North, of Alameda:

AMENDMENT No. 28.

Amend printed amended Assembly Bill No. 872 by striking out of page 10, line 334, the words "one dollar," and inserting the following: "two dollars."

Lost.

By Mr. Toland:

AMENDMENT No. 29.

Amend by striking out of Section 1, line 268, the words: "other than a vagrant," and inserting the following: "except on a charge of vagrancy."

Adopted.

By Mr. Price:

AMENDMENT No. 30.

Amend by striking out of Section 1, line 274, of the printed bill, the words "such transportation and," and inserting the following: "transporting such prisoner, in addition to the constable's fee of."

Adopted.

By Mr. Toland:

AMENDMENT No. 31.

Amend by striking out of Section 1, line 270, the words "a vagrant," and inserting the following: "person on a charge of vagrancy."

Adopted.

AMENDMENT No. 32.

Amend by inserting in Section 1, line 14, the words "not exceeding" between the words "of" and "three"; also, by adding after the word "employed," in line 145, Section 1, the words "the same to be allowed by order of the court issuing writ."

Adopted.

By Mr. Burnham:

AMENDMENT No 33.

Amend by striking out of Section 1, line 165, the words "fifteen cents," and inserting the following: "twenty cents."

Lost.

By Mr. Power, of Placer:

AMENDMENT No. 34.

Amend by striking out of Section 1, page 5, lines 163 and 164, the words "to be by him."

Adopted.

By Mr. Valentine:

AMENDMENT No. 35.

Amend by striking out of Section 1, lines 304 and 305, the words "and twenty-five cents for each hour actually engaged in such trial."

Lost.

By Mr. Boone:

AMENDMENT No. 36.

Amend by inserting on page 9, line 293, printed bill, after the word "hour," "in excess of five hours."

Adopted.

AMENDMENT No. 37.

Amend by inserting on page 10, line 321, printed bill, after the word "hour," "in excess of five."

Adopted.

MOTION.

Mr. Cutter moved that the report of the Committee on Rules, printed in the Journal of March 4th, be adopted.

So ordered.

CORRECTION OF JOURNAL.

Mr. Leavitt moved that the vote whereby the Journal of February 17th was approved be reconsidered.

So ordered.

Mr. Leavitt moved that the Journal of February 17th be corrected by inserting, after Assembly Concurrent Resolution No. 6, the word "Adopted."

So ordered.

APPROVAL OF JOURNAL.

The Journal of February 17th was approved as corrected.

COMMUNICATION.

OFFICE OF THE STATE BOARD OF EXAMINERS,
SACRAMENTO, March 5, 1897.

To the Honorable FRANK L. COOMBS, *Speaker of the Assembly:*

DEAR SIR: In answer to your request, dated March 5, 1897, requesting information as to what sum would be sufficient to pay the outstanding claims for coyote scalps which are now established and recognized as valid, I am directed by the State Board of Examiners to make the following report:

From the best information in possession of the board, it appears there are about nine thousand outstanding coyote scalp claims, representing (57,523) fifty-seven thousand five hundred and twenty-three scalps, and aggregating the sum of ($287,615) two hundred and eighty-seven thousand six hundred and fifteen dollars.

As these claims have not been investigated, it is impossible to determine which claims are valid and which are not.

Respectfully,

JOHN MARKLEY,
Secretary of the Board of Examiners.

CORRECTION OF JOURNAL.

Mr. Toland moved that the vote whereby the Journal of March 1st was approved be reconsidered.

So ordered.

Mr. Toland moved to correct the Journal of March 1st by inserting after Senate Bill No. 314, on page 6, "Read first time, and placed on file for second reading."

So ordered.

APPROVAL OF JOURNAL.

The Journal of March 1st was approved as corrected.

RECESS.

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

REASSEMBLED.

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

Quorum present.

LEAVE OF ABSENCE.

Frank Barnett, Engrossing Clerk, was granted leave of absence for to-morrow, Saturday, March 6th.

MOTIONS.

Mr. Cross moved that Assembly Bill No. 842 be made special order for to-morrow at eleven o'clock A. M.

Mr. Sims moved the following as a substitute:

Resolved, That the Committee on Rules and Regulations be and it is hereby instructed to report a special urgency file, to contain one bill placed thereon at the request of each member of the House, and that such urgency file be considered from and after three o'clock and thirty minutes P. M. daily, beginning Saturday, March 6, 1897, and until all bills on said file have been considered. The file shall be arranged by placing the names of all members in a hat, and position on file made by drawing therefrom.

Motion of Mr. Cross, as amended by substitute, adopted.

At two o'clock and twenty-five minutes P. M., the Speaker called Mr. Cutter to the chair.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 872—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in the State.

The following amendment was submitted:

By Mr. Caminetti:

Amend by striking out of Section 1, line 170, after the word "dollars," the following: "whether considered by the Sheriff or a commissioner."

Adopted.

Mr. Shanahan moved that the vote by which Amendment No. 39 was adopted be reconsidered.

MOTION.

Mr. Emmons moved that further consideration of Assembly Bill No. 872 be postponed until eleven o'clock A. M. to-morrow, and that the House do now take up the Senate special file.

So ordered.

SENATE SPECIAL FILE.

Senate Bill No. 73—An Act to provide for a bond for the protection of laborers upon public work.

Mr. Bettman moved that this bill (Senate Bill No. 73) be put at the foot of the Senate special file, and Senate Bill No. 14 substituted, and take the place of this bill on the Senate special file.

The question being on the adoption of Mr. Bettman's motion.

The ayes and noes were demanded by Messrs. Houghton, Caminetti, and Shanahan.

The roll was called, and the motion of Mr. Bettman adopted by the following vote:

AYES—Messrs. Arnerich, Austin, Bettman, Burnett, Burnham, Cross, Cutter, Dennery, Dibble, Ennis, Fontana, Godfrey, Goff, Harris, Jones, Kelly, Kelsey, Kenyon, Lacy, Leavitt, Mahoney, Malcolm, Melick, Mulcrevy, McGrath, North of Alameda, North of

Yolo, Pohlmann, Power of Placer, Price, Sims, Soward, Strain, Toland, Treacy, and Wright—36.

NOES—Messrs. Aldridge, Allen, Anderson, Caminetti, Canavan, Cartwright, Dolan, Dryden, Elliott, Foreman, Houghton, Moultrie, Sanford, and Shanahan—14.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Passed on file.

Senate Bill No. 113—An Act to amend Section 685 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.

Senate Bill No. 108—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

Mr. Canavan moved that a select committee of one be appointed by the Speaker to make the following amendment:

Strike out of line 9, Section 1, the words "and hook and ladder," and insert in lieu thereof the words "or hook and ladder."

Also: Insert in line 19, Section 1, after the word "thereof," the sentence "He shall have exclusive control of the working of the fire department in time of conflagration or fire."

Also: Insert in line 28, Section 1, after the word "compensation," the words "which shall not be less than ten dollars per month."

So ordered.

Mr. Canavan was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 108—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

CANAVAN, Committee.

Report adopted.

Senate Bill No. 108 ordered to printer and third reading.

Senate Bill No. 105—An Act relating to pawnbrokers, companies and corporations doing business as such, prescribing their duties and obligations, and also prescribing penalties for the violation of any of the provisions of this Act.

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. Allen, Arnerich, Austin, Bridgford, Burnett, Burnham, Canavan, Cartwright, Chynoweth, Cross, Cutter, Dibble, Ennis, Fontana, Foreman, Goodhue, Henry, Houghton, Keables, Kelsey, Mahoney, Malcolm, Mulcrevy, McGrath, Pohlmann, Power of San Francisco, Robinson, Shanahan, Sims, Soward, Strain, and Treacy—32.

NOES—Messrs. Aldridge, Anderson, Bettman, Dennery, Dolan, Dryden, Elliott, Goff, Harris, Kelly, Kenyon, Lacy, Melick, Moultrie, Power of Placer, Price, Rubell, and Toland—18.

Senate Bill No. 14—An Act to validate the organization and incorporation of municipal corporations.

Read second time, and ordered on Senate special file and to third reading.

Senate Bill No. 77—An Act authorizing certain corporations to loan and invest money, and regulating the same.

Read second time, and ordered on Senate special file and to third reading.

Senate Bill No. 332—An Act to amend Section 1881 of the Code of Civil Procedure, to provide that persons in certain relations to parties are prohibited from testifying.

Read second time, and ordered on Senate special file and to third reading.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 647—An Act to provide for the establishment of a board of examiners for the California Therapeutic Society and College.

Also: Assembly Bill No. 942—An Act to provide for the auditing and examination of the claims against the State of soldiers who served in the Indian wars in California, during the years from 1847 to 1857, to authorize the Adjutant-General to appoint a clerk for that purpose, and making an appropriation for his salary.

Also: Assembly Bill No. 667—An Act to amend Section 595 of the Civil Code of the State of California, relating to religious, social, and benevolent associations.

Also: Assembly Bill No. 743—An Act to amend Section 3342 of the Political Code of the State of California, and to add a new section thereto, to be known as Section 3346 thereof, all relating to volunteer fire departments. (Substitute for Assembly Bill No. 266 and Assembly Bill No. 493.)

Also: Assembly Bill No. 926—An Act giving a lien to blacksmiths, woodworkers, and all other persons employed upon any vehicle or implement of husbandry, for labor performed or material furnished upon the same, and providing for liens upon horses and other animals for the cost of shoeing the same.

Also: Assembly Bill No. 849—An Act to authorize the Superintendent of Streets of municipalities in this State to enter into contracts for work upon public streets in said municipalities, and to provide a lien for the expense thereof, and for suits to foreclose said liens.

Also: Assembly Bill No. 943—An Act to repeal an Act entitled "An Act regulating the sale of mineral lands belonging to the State," approved March 28, 1874, and the Acts amendatory thereof, and to provide for the sale of mineral lands under United States laws. (Committee Substitute for Assembly Bill No. 719.)

AUSTIN, Chairman.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 198—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 second time, and ordered on Senate special file and to third reading.

Senate Bill No. 142—An Act to amend Section 688 of the Code of Civil Procedure of the State of California, relative to executions.

Read second time, and ordered on Senate special file and to third reading.

Senate Bill No. 261—An Act to provide for the purchase of a portrait of ex-Governor Henry H. Markham, by the State Board of Examiners, and to appropriate money therefor.

Read second time, and ordered on Senate special file and to third reading.

Senate Bill No. 443—An Act to amend Section 758 of an Act entitled "An Act to provide for the organization, incorporation, and govern-

ment of municipal corporations," approved March 13, 1880. (Substitute for Assembly Bill No. 501.)

Read second time, and ordered on Senate special file and to third reading.

Senate Bill No. 137—An Act to amend the Political Code of California by adding a new section, to be known as Section 2644, relating to Road Commissioners.

Read second time, and ordered on Senate special file and to third reading.

Senate Bill No. 17—An Act to amend Section 1 of 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 the amendment thereto, approved February 23, 1893, and fixing the term of office of the Judges thereof.

Read second time.

The following amendments were submitted:

AMENDMENT No. 1.

Amend Section 1 as follows: Strike out the word "four" in line 13 of the printed substitute bill, and insert the word "two."

Adopted.

AMENDMENT No. 2.

Amend Section 6 by adding the following thereto: "The judge of said court shall have the power and they are hereby required to adopt rules for hearing cases against juvenile delinquents, charged with minor offenses, at such times and at such places as shall not allow the bringing of such juvenile offenders into said court or into any department thereof; such hearing may be had under said rules in the assembly chamber of the Board of Education of said city and county."

Adopted.

By Mr. Price:

Amend by striking out of Section 4 all after the words "received," and inserting the following: "the compensation allowed by law."

Adopted.

Senate Bill No. 370—An Act to amend Section 3495 of the Political Code, by adding a provision relative to adverse occupation.

Read second time.

The following amendments were submitted:

Amend Section 1 by striking out in line 24 in printed bill, after the words "to be," the words "entered, exceeds six hundred and forty acres," and insert the following: "purchased, exceeds three hundred and twenty acres, but if the land is not suitable for cultivation the affidavit must further state that the applicant has not entered any portion of such lands, which, together with that now sought to be entered, exceeds six hundred and forty acres."

Adopted.

Also: Amend Section 1 in line 26 of printed bill, after the word "any," by inserting the word "one."

Adopted.

Also: Amend Section 1 by striking out in line 17 of printed bill, after the words "the use," the word "and," and inserting the word "or."

Adopted.

Senate Bill No. 370 ordered to printer and third reading.

Senate Bill No. 100—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887, to provide the penalty therefor, and appropriating money to enforce the same.

Passed on file.

Senate Bill No. 176—An Act to amend Section 1668 of the Political Code of the State of California, relating to public schools and employment of teachers of physical culture.

Passed on file.

Senate Bill No. 111—An Act to amend Section 1093 of the Penal Code, relating to order of trial.

Read second time, and ordered on Senate special file and to third reading.

Senate Bill No. 114—An Act to amend Section 1127 of the Penal Code, relating to charging the jury.

Read second time, and ordered on Senate special file and to third reading.

Senate Bill No. 116—An Act to amend Section 398 of the Code of Civil Procedure, relating to a change of place of trial.

Read second time, and ordered on Senate special file and to third reading.

Senate Bill No. 334—An Act to amend Section 613 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to cemetery corporations.

Read second time.

The following amendment was submitted by Mr. Bettman:

Amend by adding after the word "cases," Section 1, line 37, the words "*provided*, that the provisions of this Act shall not apply to cities and counties, and counties, of the first and second class."

Adopted.

Senate Bill No. 141—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Read second time, and ordered on Senate special file and to third reading.

Mr. Toland moved that the House do now return to the consideration of Senate Bill No. 176.

So ordered.

Senate Bill No. 176—An Act to amend Section 1668 of the Political Code of the State of California, relating to public schools and employment of teachers of physical culture.

The following amendment was submitted by Mr. Toland:

Amend by striking out the enacting clause of the bill.

Adopted.

Substitute for Senate Bill No. 42—An Act to amend Section 224 of the Civil Code of California, relating to the adoption of orphan, half-orphan, or abandoned children.

Read second time.

The following amendment was submitted by the committee:

Amend Section 1, line 2, of printed bill, by inserting after the word "neglect" the following: "or who is confined in an insane asylum upon judicial determination of insanity, but in the last-named case the consent of a duly appointed guardian of such child, or of such insane parent, shall first be obtained."

Adopted.

Senate Bill No. 8—An Act to amend Section 1880 of the Code of Civil Procedure of the State of California, relating to witnesses.

Read second time, and ordered on Senate special file and to third reading.

Senate Bill No. 126—An Act to amend Section 607 of the Code of Civil Procedure of the State of California, relating to order of procedure on trial.

Read second time.

The following amendment was submitted:

Amend printed bill by striking out in the enacting clause the word "represented," after the word "Assembly," and inserting the word "represented" after the word "California."

Adopted.

Senate Bill No. 126 ordered to printer and third reading.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California for the forty-ninth and fiftieth fiscal years.

Mr. Guy moved that the House do now resolve itself into Committee of the Whole, with Mr. Cutter in the chair, for the purpose of considering Assembly Bill No. 937.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Cutter in the chair.

Assembly Bill No. 937 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Cutter in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California for the forty-ninth and fiftieth fiscal years—and now report back the bill, with amendments, and recommend that the same be passed as amended.

Report adopted.

Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California for the forty-ninth and fiftieth fiscal years.

The following amendments were submitted:

COMMITTEE AMENDMENT NO. 1.

Amend by striking out of Section 1, line 13, the word "twelve" and inserting the following: "eleven."

Adopted.

COMMITTEE AMENDMENT NO. 2.

Amend by striking out of Section 1, line 15, the word "seventeen" and inserting the following: "fifteen."

Adopted.

COMMITTEE AMENDMENT NO. 3.

Amend by inserting in Section 1, line 77, printed bill, before the word "expert" the words "Board of Examiners and."

Adopted.

COMMITTEE AMENDMENT NO. 4.

Amend by striking out of Section 1, lines 88 and 89, the words "twelve thousand eight hundred" and inserting the following: "nine thousand six hundred."

Adopted.

COMMITTEE AMENDMENT No. 5.

Amend by striking out of Section 1, line 103, the word "etc," and to insert in the same line, before the word "supplies," the words "other necessary."

Adopted.

COMMITTEE AMENDMENT No. 6.

Amend Section 1, line 117, by inserting after the word "dollars" the following: "For extra help necessary for the caring of the State Capitol building, including extra firemen, engineers, electricians, elevator attendants, watchmen, porters, and all other such necessary extra help during the thirty-third session of the Legislature, to be expended under the direction of the Secretary of State, three thousand dollars."

Adopted.

COMMITTEE AMENDMENT No. 7.

Amend by striking out of Section 1 lines 124 to 127, inclusive.

Adopted.

COMMITTEE AMENDMENT No. 8.

Amend Section 1, line 280, by inserting the following after the word "employés": "purchasing supplies, type, machinery, material, and for permanent improvements."

Adopted.

COMMITTEE AMENDMENT No 9.

Amend by striking out of Section 1, line 299, the words "and attorney's fees"; also, strike out of line 300 the word "four," and insert the following: "two."

Lost.

COMMITTEE AMENDMENT No. 10.

Amend by striking out of Section 1, lines 343 and 344, the words "three hundred and fifty-one," and insert in lieu thereof the words "four hundred and five."

Adopted.

COMMITTEE AMENDMENT No 11.

Amend by striking out of Section 1, lines 345 and 346, the words "three hundred and fifty-nine thousand, three hundred and eighty dollars," and inserting the following: "four hundred thousand."

Adopted.

COMMITTEE AMENDMENT No. 12.

Amend by striking out of Section 1, lines 347 and 348, the words "two hundred and thirty-six thousand five hundred and twenty dollars," and inserting the following: "two hundred and sixty-nine thousand three hundred and seventy-six dollars."

Adopted.

COMMITTEE AMENDMENT No. 13.

Amend by striking out of Section 1, lines 349 and 350, the words "one hundred and fifty-three thousand three hundred," and inserting the following: "one hundred sixty thousand."

Adopted.

COMMITTEE AMENDMENT No 14.

Amend by striking out of Section 1, lines 352 and 353, the words: "one hundred and seventy-three thousand eight hundred and sixty-two dollars," and inserting the following: "one hundred and ninety thousand dollars."

Adopted.

COMMITTEE AMENDMENT No. 15.

Amend by striking out of Section 1, lines 356, 357, and 358, "one hundred and forty-seven thousand seven hundred and sixty-two dollars," and inserting the following: "one hundred and sixty thousand dollars."

Adopted.

COMMITTEE AMENDMENT No 16.

Amend by striking out of Section 1, line 361, the word "sixty," and inserting the word 'ninety."

Adopted.

COMMITTEE AMENDMENT No. 17.

Amend by striking out of Section 1 all of lines 364, 365, 366, 367, and 368 and inserting the following. "for support of State Prison at San Quentin, two hundred and ninety-six thousand dollars."

Adopted.

COMMITTEE AMENDMENT No. 18.

Amend Section 1, line 365, by inserting after the word dollars the following: "for the claim of Marin County, for moneys expended by it for prosecution of crimes, committed within the State Prison at San Quentin, four thousand two hundred and twenty-nine dollars and fifty cents."

Adopted.

COMMITTEE AMENDMENT No. 19.

Amend by striking out of Section 1, lines 375 and 376, the words "one hundred and eighty," and inserting the following: "two hundred."

Adopted.

COMMITTEE AMENDMENT No. 20

Amend by inserting in Section 1, line 379, after the word "school," the following: "one thousand."

Adopted.

COMMITTEE AMENDMENT No. 21.

Amend by striking out of Section 1, lines 383 and 384, the words "one hundred and twelve thousand five hundred," and inserting the following: "one hundred and twenty-five thousand."

Adopted.

COMMITTEE AMENDMENT No 22.

Amend Section 1, after line 384, by inserting the following: "for purchase of printing material, blacksmith and carpenter tools, books for library, cows, and horses, for Preston School of Industry, two thousand five hundred dollars."

Adopted.

COMMITTEE AMENDMENT No. 23.

Amend Section 1, after line 384, by inserting the following: "for purchase of material and construction of fencing, of ice plant, and enlarging cow barn, Preston School of Industry, two thousand six hundred dollars."

Adopted.

COMMITTEE AMENDMENT No. 24.

Amend by striking out of Section 1, lines 387 and 388, the words: "ninety thousand dollars," and inserting the following: "one hundred thousand dollars."

Adopted.

COMMITTEE AMENDMENT No. 25.

Amend by striking out of Section 1, lines 394 and 395, the words "ninety thousand eight hundred dollars," and inserting the following: "one hundred thousand dollars."

Adopted.

COMMITTEE AMENDMENT No. 26.

Amend by striking out of Section 1, line 404, the word "one," after the word "Chico," and inserting the following: "two."

Adopted.

COMMITTEE AMENDMENT No. 27.

Amend by inserting in Section 1, between lines 414 and 415, the words "for use of State Board of Horticulture, ten thousand dollars."

Adopted.

COMMITTEE AMENDMENT No. 28.

Amend by striking out of Section 1, line 421, the word "five," and inserting the following: "ten."

Adopted.

COMMITTEE AMENDMENT No. 29.

Amend by striking out of Section 1, line 423, the word "five," and inserting the following: "eight."

Adopted.

COMMITTEE AMENDMENT No. 30.

Amend by striking out of Section 1, line 427, the word "five," and inserting the word "fifteen."

Adopted.

COMMITTEE AMENDMENT No. 31.

Amend by inserting after line 423 the following: "For State University—Department of Agriculture—for experimental purposes, relative to the diseases, breeding, and other necessary information connected with the raising and care of poultry and the issuance of bulletins concerning same, five thousand dollars."

Adopted.

COMMITTEE AMENDMENT No. 32.

Amend by striking out the words "twenty-five thousand," on line 435, and inserting in lieu thereof the words "fifty thousand."

Adopted.

COMMITTEE AMENDMENT No. 33.

Amend by striking out of Section 1 all of lines 454 and 455

Adopted.

COMMITTEE AMENDMENT No. 34.

For aid to District Agricultural Society Number One, five thousand dollars.
For aid to District Agricultural Society Number Two, five thousand dollars
For aid to District Agricultural Society Number Three, two thousand dollars.
For aid to District Agricultural Society Number Four, five thousand dollars.
For aid to District Agricultural Society Number Five, five thousand dollars.
For aid to District Agricultural Society Number Six, five thousand dollars
For aid to District Agricultural Society Number Seven, two thousand dollars.
For aid to District Agricultural Society Number Eight, two thousand dollars.
For aid to District Agricultural Society Number Nine, three thousand dollars.
For aid to District Agricultural Society Number Ten, one thousand five hundred dollars.
For aid to District Agricultural Society Number Eleven, three thousand dollars.
For aid to District Agricultural Society Number Twelve, three thousand dollars.
For aid to District Agricultural Society Number Thirteen, three thousand dollars.
For aid to District Agricultural Society Number Fourteen, three thousand dollars.
For aid to District Agricultural Society Number Fifteen, two thousand dollars.
For aid to District Agricultural Society Number Sixteen, two thousand dollars.
For aid to District Agricultural Society Number Seventeen, one thousand five hundred dollars.
For aid to District Agricultural Society Number Eighteen, three thousand dollars.
For aid to District Agricultural Society Number Nineteen, one thousand five hundred dollars.
For aid to District Agricultural Society Number Twenty, one thousand five hundred dollars.
For aid to District Agricultural Society Number Twenty-one, four thousand dollars.
For aid to District Agricultural Society Number Twenty-two, three thousand five hundred dollars.
For aid to District Agricultural Society Number Twenty-three, three thousand dollars.
For aid to District Agricultural Society Number Twenty-four, two thousand dollars.
For aid to District Agricultural Society Number Twenty-five, four thousand dollars.
For aid to District Agricultural Society Number Twenty-six, two thousand dollars.
For aid to District Agricultural Society Number Twenty-seven, three thousand dollars.
For aid to District Agricultural Society Number Twenty-eight, four thousand dollars.
For aid to District Agricultural Society Number Twenty-nine, two thousand dollars.
For aid to District Agricultural Society Number Thirty, two thousand dollars
For aid to District Agricultural Society Number Thirty-one, two thousand dollars.
For aid to District Agricultural Society Number Thirty-two, two thousand dollars.
For aid to District Agricultural Society Number Thirty-three, two thousand dollars.
For aid to District Agricultural Society Number Thirty-four, one thousand five hundred dollars.
For aid to District Agricultural Society Number Thirty-five, two thousand dollars
For aid to District Agricultural Society Number Thirty-six, three thousand dollars.
For aid to District Agricultural Society Number Thirty-seven, one thousand five hundred dollars.

For aid to District Agricultural Society Number Thirty-eight, three thousand dollars.
For aid to District Agricultural Society Number Thirty-nine, two thousand dollars.
For aid to District Agricultural Society Number Forty, three thousand five hundred dollars.
For aid to District Agricultural Society Number Forty-one, one thousand five hundred dollars.
For aid to District Agricultural Society Number Forty-two, two thousand dollars.
For aid to District Agricultural Society Number Forty-three, one thousand five hundred dollars.
For aid to District Agricultural Society Number Forty-four, two thousand dollars.

COMMITTEE AMENDMENT No. 35.

Amend the amendment by striking out of line 1 the word "five," and inserting the word "ten."

Adopted.

COMMITTEE AMENDMENT No 36.

Amend the amendment by striking out of lines 18 and 19 the words and figures "$1,500," and inserting the following: "$2,000."

Adopted.

COMMITTEE AMENDMENT No. 37.

Amend the amendment by inserting the following in line 31: "two thousand five hundred."

Adopted.

COMMITTEE AMENDMENT No. 38.

Amend by striking out of Section 1, line 300, page 9, the word "two," and inserting the following word: "four."

Adopted.

COMMITTEE AMENDMENT No. 39.

Amend by striking out of Section 1, lines 211 and 212, the words "nine hundred and sixty," and inserting the following: "twenty-four hundred."

Adopted.

By Mr. Boone:

Amend the amendment by striking out of Section 1, line 503, the word "two," and inserting the following: "three."

Lost.

By Mr. Hudson:

Amend the amendment by striking out of Section 1, line 468 the words "two thousand dollars," and inserting the following: "three thousand dollars."

Lost.

By Mr. Kenyon:

Amend Section 1 by inserting after line 276 the following: "For encampment National Guard for forty-ninth fiscal year, forty thousand dollars, exempt from provisions of section four of this Act."

Adopted.

By Mr. Mead:

Amend by striking out of Section 1, line 533, the words "for racing or speed contests"

Mr. Leavitt moved to indefinitely postpone action upon the amendment offered by Mr. Mead, numbered 44.

So ordered.

Mr. Shanahan moved that the bills made the special order for this hour be passed temporarily on file.

So ordered.

By Mr. Caminetti:

Amend by adding a new section, to be numbered Section 7, and to read as follows:

SEC. 7. The State Board of Examiners, in order to more fully understand the claims presented to them, and to more intelligently pass upon claims payable out of the appro-

priation for the support of the State Printing Office, are hereby authorized to direct the printing expert provided for by Section 531 of the Political Code to examine all payrolls, claims, or demands presented to the State Board of Examiners, and report thereon to said board. He shall also examine all requests for purchases, expenditures, or property of any kind or nature, and report to the board his opinion of the necessity or use thereof. From time to time, whenever called upon by the board, or any member thereof, he shall report to them or him upon any question connected with the State Printing Office, or the management thereof.

Mr. Leavitt raised the point of order that the amendment was not in order, as it was in contravention with the terms of the Constitution.

The Speaker decided the point well taken.

Mr. Caminetti appealed from the decision of the Chair.

The ayes and noes were demanded by Messrs. Leavitt, Caminetti, and Houghton.

The roll was called, and the Chair sustained by the following vote:

AYES—Messrs. Anderson, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Emmons, Ennis, Fontana, Gately, Goff, Guy, Harris, Hudson, Jones, Keables, Kelly, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, and Vosburg—42

NOES—Messrs. Aldridge, Allen, Boone, Burnett, Caminetti, Cartwright, Elliott, Godfrey, Houghton, Keegan, Mahoney, Moultrie, Mulcrevy, Rubell, Sanford, Shanahan, Toland, and Treacy—18.

By Mr. Dryden:

Amend by striking out of Section 1 lines 240 to 271, inclusive.

The question being on the adoption of the amendment offered to Assembly Bill No. 937 by Mr. Dryden.

The ayes and noes were demanded by Messrs. Houghton, Emmons, and Boone.

The roll was called, and pending the announcement of the result, Mr. Mead moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Boone, Breiling, Burnett, Burnham, Canavan, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Guy, Harris, Henry, Houghton, Hudson, Jones, Keegan, Kelly, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, McGrath, North of Alameda, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Treacy, Valentine, and Wright.

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

So ordered.

The Speaker then announced the result of the roll call, and the amendment offered by Mr. Dryden carried by the following vote:

AYES—Messrs Aldridge, Allen, Anderson, Belshaw, Boone, Cartwright, Cutter, Dolan, Dryden, Elliott, Emmons, Foreman, Godfrey, Houghton, Hudson, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, McGrath, North of Alameda, Power of San Francisco, Rubell, Sanford, Shanahan, Stansell, Toland, Treacy, and Wright—35

NOES—Messrs. Arnerich, Austin, Breiling, Burnett, Burnham, Canavan, Chynoweth, Cross, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Guy, Harris, Henry, Jones, Kelly, Kelsey, Kenyon, Power of Placer, Price, Robinson, Sims, Soward, Strain, Valentine, and Mr. Speaker—29.

By Mr. Leavitt:

Amend by striking out of Section 1, after line 267, the words "for encampment National Guard for forty-ninth fiscal year, forty thousand dollars, exempt from provisions of Section 4 of this Act."

The question being on the adoption of the amendment offered by Mr. Leavitt.

The ayes and noes were demanded by Messrs. Leavitt, Toland, and Power of San Francisco.

The roll was called, and the amendment offered by Mr. Leavitt lost by the following vote:

AYES—Messrs. Anderson, Austin, Boone, Burnett, Burnham, Chynoweth, Cross, Damon, Emmons, Fontana, Guy, Harris, Henry, Hudson, Keegan, Kelly, Leavitt, Lindenberger, Melick, North of Alameda, Power of Placer, Price, Robinson, Rubell, Sims, Soward, Stansell, Strain, Valentine, Wright, and Mr. Speaker—31.

NOES—Messrs. Aldridge, Allen, Breiling, Canavan, Cartwright, Cutter, Dennery, Dibble, Dolan, Dryden, Elliott, Godfrey, Goff, Houghton, Jones, Kelsey, Kenyon, Lacy, Landsborough, Mahoney, Malcolm, Mead, McClellan, McGrath, Power of San Francisco, Ryan, Sanford, Shanahan, Toland, Treacy, and Vosburg—31.

Assembly Bill No. 937 ordered to printer, reëngrossment, and third reading.

REPORTS OF STANDING COMMITTEES.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Senate Bill No. 119—An Act to appropriate $110,000 for the erection of an administration building, for the use and occupancy of the officers, employés, and patients of the Mendocino Asylum; to purchase furniture, and furnish the building so to be erected, by the directors of said asylum; to appropriate money therefor, and provide for the expenditure of the same.

Also: Senate Bill No 521—An Act to provide for additional improvements at the State Insane Asylum located at Agnews, in the County of Santa Clara, State of California, and to make an appropriation therefor.

Also: Senate Bill No. 398—An Act making an appropriation for supplying water, light, and fuel for the State Insane Asylum at Stockton.

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

MALCOLM, Chairman.

Senate Bills Nos. 119, 521, and 398 placed on file for second reading.

MOTION.

Mr. Guy moved that Assembly Bill No. 937 be made special order for to-morrow night, at seven o'clock and thirty minutes.

So ordered.

RECESS.

At six o'clock P. M., on motion of Mr. Dibble, the House took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No 255—An Act to amend Section 874 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal incorporations," approved March 13, 1883, in relation to notice for bids for public work.

Also: Assembly Bill No. 536—An Act to authorize the Board of Fish Commissioners to dispose of the hatchery located on Battle Creek, in Tehama County, and expend the proceeds of the same.

Also: Assembly Bill No. 607—An Act to amend Section 1670 of the Political Code of California.

And presented the same to the Governor on this day, at eleven o'clock and thirty minutes A. M.

Also: Assembly Bill No 68—An Act relating to pension matters and claims against counties—and presented the same to the Governor on this day, at eleven o'clock and fifty minutes A. M.

Also: Assembly Joint Resolution No 30, Relative to and advocating the passage of the California Mineral Lands Bill, and presented the same to the Governor on this day, at nine o'clock and thirty minutes A. M

Also: Assembly Bill No. 113—An Act to repeal Section 415 of the Political Code of California, relative to the translation of the laws into Spanish, and their distribution.

Also: Assembly Bill No. 420—An Act to amend Section 581 of the Code of Civil Procedure

Also: Assembly Bill No. 847—An Act to provide for the transfer from Whittier State School, at Whittier, of the girls heretofore committed thereto under the laws of this State, and for their maintenance and care, as well as that of such other girls as shall be hereafter so committed under said law, and to establish, maintain, and locate in the County of Santa Clara, State of California, on that certain tract of land belonging to the State of California and heretofore used by the California Home for the Care and Training of Feeble-Minded Children, in the town of Santa Clara, in said county, an institution for the discipline, education, employment, reformation, and protection of female juvenile delinquents, to be known as "The Santa Clara State School," and to make an appropriation therefor.

Also: Assembly Bill No. 769—An Act to amend Section 1159 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to recording of certain instruments and validating records heretofore made

Also: Assembly Bill No. 304—An Act to provide for the appointment of an auditing board to the Commissioner of Public Works, and making an appropriation therefor.

Also: Assembly Bill No. 742—An Act to amend 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 directions in the discharge of his duties as such commissioner," approved March 24, 1893.

Also: Assembly Bill No. 405—An Act making an appropriation for improving the Capitol buildings and grounds

And presented the same to the Governor on this day, at eleven o'clock and thirty-five minutes A. M.

FONTANA, Chairman

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred the matter whether the Assembly has jurisdiction in the several pending contested election cases, have had the same under consideration, and respectfully report that the attached report of sub-committee has been adopted by the committee, and is presented as the report of the Committee on Judiciary.

REPORT OF SUB-COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1897.

MR. CHAIRMAN: Your sub-committee, to whom was referred the resolution adopted by the Assembly instructing the Judiciary Committee to make inquiry and report as to whether the Assembly has jurisdiction in the several pending contested election cases, has the honor to report: First, that the Speaker in refusing to receive the papers in said cases from the Secretary of State after the second day of the session, correctly construed the provisions of Section 281 of the Political Code, and as an officer of this House properly refused to receive such papers; that the only way in which the Assembly could take cognizance of such cases would be under and by virtue of the authority vested in it to judge of the qualifications of its own members under the provisions of Section 7, Article IV, of the Constitution; and that owing to the lateness of the session, the Assembly does not think it proper to investigate said cases by virtue of said constitutional authority; that your sub-committee, after a full investigation in the premises, report that said cases were brought in good faith and that proper sums should be allowed for election expenses to each of the parties.

DIBBLE.
H. H. NORTH,
SHANAHAN,
Sub-Committee.

WAYMIRE, Chairman.

Referred to Committee on Contested Elections.

At eight o'clock and five minutes P. M., the Speaker called Mr. Valentine to the chair.

ON PUBLIC WORKS, STATE CAPITOL, AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Senate Bill No. 640—An Act authorizing the State Treasurer to furnish his office and the vault therein, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ENNIS, Chairman.

RESOLUTION.

By Mr. Leavitt:

WHEREAS, The relations existing between the Empire of Japan and the Pacific Coast are of a cordial and close nature, by reason of our growing commerce, as also the presence of many Japanese in our midst; therefore, be it

Resolved, That it is peculiarly fitting and proper that a Minister to Japan be selected from some distinguished citizen of this coast, be it further

Resolved, That the Assembly of California earnestly indorses for that honorable position the Hon. Frank L. Coombs, Speaker of the Assembly, who, for a portion of a previous Republican administration, filled such office with ability and dignity.

The same was unanimously adopted by rising vote.

INTRODUCTION OF CONSTITUTIONAL AMENDMENT.

By Mr. Cutter: Assembly Constitutional Amendment No. 44—Proposed amendment to Section 25 of Article IV of the Constitution, with reference to special and local legislation.

Read and placed on file.

Mr. Cutter moved that the Chief Clerk of the Assembly be instructed to wire to the Hon. George C. Perkins a copy of the resolution indorsing Speaker Coombs.

So ordered.

LEAVE OF ABSENCE.

Mr. Leavitt was granted leave of absence for the evening.

MESSAGES FROM THE SENATE.

Mr. Wright moved that the Assembly do now take up Senate messages.

So ordered.

SENATE CHAMBER, SACRAMENTO, March 5, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 4th day of March passed Senate Bill No. 729—An Act to amend Section 2294 of Chapter III, Title V, of the Political Code, relating to the State Library.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 729—An Act to amend Section 2294 of Chapter III, Title V, of the Political Code, relating to the State Library.

Read first time, and placed on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 5th day of March, 1897, adopted the following Assembly resolution:

Resolved, That a committee of three be and is hereby constituted, the Speaker of the Assembly being one of said committee, and the other members thereof to be appointed by the Speaker, to confer with a Senate committee for the purpose of considering a proper mode of parliamentary procedure under the joint rules of the two houses, the abrogation of certain rules if necessary, and to report the result of said conference to the two houses; also, to report upon the advisability of suggesting at this time a day of adjournment of the Legislature.

In accordance with the above, the following committee was appointed by the Presi-

dent of the Senate: Senators Flint, La Rue, and Simpson, to act with a like committee from the Assembly.

Also: That the Senate on this day amended, and passed as amended, Assembly Bill No. 476—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Passed Assembly Bill No. 71—An Act to amend Section 4428 of the Political Code of the State of California, relating to the powers of Judges of Police Courts to call in Justices of the Peace to act in their place and stead.

F. J BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Assembly Bill No. 476—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

The following Senate amendment was submitted:

Amend by striking out of Section 1, line 39, the words "one hundred" between "exceed" and "cents," and inserting in lieu thereof the following: "seventy-five."

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. Aldridge, Allen, Anderson, Bettman, Boone, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Godfiey, Goff, Goodhue, Harris, Houghton, Hudson, Jones, Keegan, Kelly, Kelsey, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, Mulcrevy, McGrath, North of Alameda, Pohlmann, Price, Robinson, Rubell, Sanford, Sims, Soward, Strain, Toland, Valentine, Vosburg, and Wright—51.

NOES—Messrs. Emmons, Gately, and Lacy—3.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 290.

Also: Concurred in Assembly amendments to Senate Bill No. 364.

Also: That the Senate on the 3d day of March refused to pass Assembly Bill No. 86—An Act to amend Section 1197 of the Code of Civil Procedure, relating to independent rights of action in cases of liens.

F. J BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

LEAVE OF ABSENCE.

Mr. Dennery was granted leave of absence for the evening.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 612—An Act to amend Section 7 of "An Act authorizing corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations," approved April 6, 1891.

Also: Senate Bill No. 134—An Act to repeal Section 13 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. 536—An Act to amend Section 1524 of the Penal Code, relating to the issuing of search warrants.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Senate Bill No. 612—An Act to amend Section 7 of "An Act authorizing corporations to act as executor, and in other capacities, and to provide for and regulate the administration of trusts by such corporations," approved April 6, 1891.

Read first time, and placed on Senate special file for second reading.

Senate Bill No. 134—An Act to repeal Section 13 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 first time, and placed on Senate special file for second reading.

Senate Bill No 104—An Act prohibiting ring-fights, prize-fights, glove-contests, or any other premeditated fight, contest, or contention (by whatsoever name or names it or they may be called), and prescribing penalties for the violation thereof.

Read first time, and placed on Senate special file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 437—An Act to amend Section 752 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendments thereto, approved March 19, 1889, March 5, 1895, and March 26, 1895.

Also: Senate Bill No. 365—An Act authorizing a party required to give a bond or undertaking to agree with his sureties for the deposit and withdrawal of any or all moneys or assets for which such sureties are or may be held responsible.

Also: Senate Bill No 586—An Act to amend Sections 364 and 680 of the Political Code, and to add a new section thereto, to be known as Section 686 of the Political Code, all relating to the State Board of Examiners

Also: Senate Bill No 445—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto two sections, to be numbered 288 and 289, to punish the crimes of open and notorious cohabitation and adultery.

Also: Senate Bill No 180—An Act to amend "An Act requiring the recording of maps of cities, towns, additions to cities or towns, or subdivisions of lands into small lots or tracts for the purpose of sale, and providing a penalty for the selling or offering for sale any lots or tracts in cities, towns, additions to cities, towns, subdivisions, or additions thereto, before such maps are filed and recorded," approved March 9, 1893.

Also: Senate Bill No. 561—An Act to amend Section 605 of the Penal Code of the State of California, relating to the removing, defacing, or altering landmarks.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 437—An Act to amend Section 752 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendments thereto, approved March 19, 1889, March 5, 1895, and March 26, 1895.

Referred to Committee on Municipal Corporations.

Senate Bill No. 365—An Act authorizing a party required to give a bond or undertaking to agree with his sureties for the deposit and withdrawal of any or all moneys or assets for which such sureties are or may be held responsible.

Referred to Committee on Judiciary.

Senate Bill No. 586—An Act to amend Sections 364 and 680 of the Political Code, and to add a new section thereto, to be known as Section 681 of the Political Code, all relating to the State Board of Examiners.

Referred to Committee on Judiciary.

Senate Bill No. 445—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto two sections, to be numbered 288 and 289, to punish the crimes of open and notorious cohabitation and adultery.

Referred to Committee on Crimes and Penalties.

Senate Bill No. 180—An Act to amend "An Act requiring the record-

ing of maps of cities, towns, additions to cities or towns, or subdivisions of lands into small lots or tracts, for the purpose of sale, and providing a penalty for the selling, or offering for sale, any lots or tracts in cities, towns, additions to cities, towns, subdivisions or additions thereto, before such maps are filed and recorded," approved March 9, 1893.

Referred to Committee on Municipal Corporations.

Senate Bill No. 561—An Act to amend Section 605 of the Penal Code of the State of California, relating to the removing, defacing, or altering landmarks.

Referred to Committee on Judiciary.

MOTIONS.

Mr. Cross moved that the rules be suspended, and that Assembly Bill No. 842 be made the special order for to-morrow morning at eleven o'clock.

So ordered.

Mr. Toland moved that Assembly Bill No. 285 be made the special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

Mr. Dibble moved that the Assembly do now consider the bills that are for third reading on the special file for this evening first, and then take up second-reading file.

So ordered.

SPECIAL URGENCY FILE.

Assembly Bill No. 533—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-eighth 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. Aldridge, Allen, Anderson, Austin, Bettman, Boone, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Goff, Goodhue, Harris, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, Mulcrevy, McGrath, Price, Robinson, Rubell, Sanford, Sims, Soward, Strain, Toland, Valentine, and Vosburg—50.

NOES—Mr. Treacy—1.

Title read and approved.

Assembly Bill No. 534—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-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. Aldridge, Allen, Arnerich, Austin, Bettman, Boone, Bridgford, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Damon, Dennery, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Harris, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, Mulcrevy, McGrath, Price, Robinson, Rubell, Sanford, Shanahan, Sims, Strain, Toland, Valentine, and Vosburg—54.

NOES—None.

Title read and approved.

Assembly Bill No. 535—An Act making an appropriation to pay the

deficiency in the appropriation for office rent of the Attorney-General, in San Francisco, for the forty-eighth 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. Aldridge, Allen, Anderson, Arnerich, Bettman, Boone, Bridgford, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Cutter, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Foreman, Godfrey, Goff, Goodhue, Harris, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Mead, Melick, Moultrie, Mulcrevy, McGrath, North of Alameda, Rubell, Ryan, Sanford, Sims, Strain, Toland, Valentine, and Vosburg—50.

NOES—None.

Title read and approved.

MOTION.

Mr. North, of Alameda, moved that a committee of conference on Assembly Bill No. 372 be appointed, to consist of three members.

The Speaker appointed as such committee Messrs. North of Alameda, Dibble, and Shanahan.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 174—An Act entitled an Act to amend an Act entitled 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, by amending the title to said Act, and by amending Sections 1, 4, 7, 8, 9, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 26, 27, 28, 29, and 30 thereof, and by adding three new sections thereto, to be numbered respectively Sections 16*a*, 16*b*, and 16*c*, relating to a change in the name of the institution and the powers and duties of the public officers thereof, and the manner and conditions under which commitments may be made thereto, and of the rights and obligations of persons committed thereto, and of the powers and duties of certain public officers in connection therewith, and generally relating to the State school located and established under the aforesaid Act, and now maintained by the State of California at Whittier, in the County of Los Angeles, therein, approved March 23, 1893, by amending Sections 4, 6, 9, and 11.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Bettman, Boone, Bridgford, Burnham, Canavan, Cartwright, Chynoweth, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Goodhue, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, Mulcrevy, McGrath, Price, Robinson, Rubell, Ryan, Sanford, Sims, Soward, Strain, Treacy, Valentine, and Vosburg—51.

NOES—None.

Title read and approved.

Assembly Bill No. 194—An Act to amend Section 1187 of the Code of Civil Procedure, concerning the filing of mechanics' liens, by adding a provision requiring the owner of real property to give notice of completion of improvements thereon.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Bettman, Boone, Bridgford, Canavan, Cartwright, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Goff, Goodhue, Harris, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Melick, Moultrie, Mulcrevy, McGrath, Price, Robinson, Sanford, Sims, Soward, Strain, Toland, Valentine, and Vosburg—42.
NOES—Messrs. Rubell and Treacy—2.

Title read and approved.

Assembly Bill No. 151—An Act to provide the mode of changing grades of public streets, lanes, alleys, courts, and places within municipalities 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. Aldridge, Allen, Anderson, Bettman, Boone, Bridgford, Burnham, Canavan, Cartwright, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Foreman, Goodhue, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Lindenberger, Malcolm, Melick, Mulcrevy, Price, Robinson, Rubell, Ryan, Sanford, Sims, Soward, Strain, Toland, Treacy, Valentine, and Vosburg—44.
NOES—None.

Title read and approved.

Assembly Bill No. 303—An Act to authorize the Board of Fish Commissioners of the State of California to purchase or construct a gasoline launch, to aid in carrying out the purposes of said board, 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. Aldridge, Allen, Anderson, Arnerich, Bettman, Boone, Bridgford, Burnham, Canavan, Cartwright, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Goff, Goodhue, Harris, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Moultrie, Power of San Francisco, Price, Robinson, Rubell, Sanford, Sims, Soward, Strain, Toland, Treacy, Valentine, and Vosburg—48.
NOES—Mr. Melick—1.

Title read and approved.

Assembly Bill No. 608—An Act appropriating money to pay the expenses of preparing, forwarding, installing, maintaining, taking down, and returning an exhibit of the products of the State of California at the Trans-Mississippi and International Exposition, to be held in Omaha in 1898, and to provide for a commission and its expenses, a secretary of such commission, and the compensation of the secretary thereof.

Passed on file.

Assembly Bill No. 504—An Act entitled an Act to amend Section 487 of the Penal Code of the State of California, making chicken-stealing grand larceny.

Read third time.

Mr. Price moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 1, last line of printed bill, the word "or," and inserting the following after the last word: "or bicycle."

Lost.

Mr. Canavan moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend Section 1, line 9, by adding after the word "chickens" the word "ducks."

Motion to appoint a select committee of one lost.

Mr. Landsborough moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 2, lines 9 and 10, the words "chickens or poultry."

Lost.

Mr. Bridgford moved that the vote by which the motion of Mr. Landsborough to appoint a select committee of one to amend Assembly Bill No. 504 was lost be reconsidered.

PREVIOUS QUESTION.

The previous question was demanded on the motion of Mr. Landsborough by Messrs. Sims, Malcolm, and Damon.

The question being on the motion of Mr. Bridgford to reconsider.

Motion carried.

The question being on the motion of Mr. Landsborough to appoint a select committee of one.

Motion carried.

The Speaker appointed Mr. Landsborough such select committee of one to amend the bill as per instructions of the House.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 504—An Act entitled an Act to amend Section 487 of the Penal Code of the State of California, making chicken-stealing grand larceny—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.

LANDSBOROUGH, Committee.

Report adopted.

Mr. Ennis moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend Section 3, line 9, by adding the words "and bicycles."

So ordered.

Mr. Ennis was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 504—An Act entitled an Act to amend Section 487 of the Penal Code of the State of California, making chicken-stealing grand larceny—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.

ENNIS, Committee.

Adopted.

Assembly Bill No. 926—An Act giving a lien to blacksmiths, woodworkers, and all other persons employed upon any vehicle or implement of husbandry, for labor performed or material furnished upon the same, and providing for liens upon horses and other animals for the cost of shoeing the same.

Read third time.

Mr. Cutter moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out all of Section 1 after the word "furnished," in line 7.

Lost.

Mr. Emmons moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 1, line 9, the words "bill of sale."

So ordered.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 926—An Act giving a lien to blacksmiths, woodworkers, and all other persons employed upon any vehicle or implement of husbandry, for labor performed or material furnished upon the same, and providing for liens upon horses and other animals for the cost of shoeing the same—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.

EMMONS, Committee.

Adopted.

Assembly Bill No. 926 ordered to printer.

MOTION.

Mr. Dibble moved that the Assembly now take up Assembly Bills Nos. 691, 748, and 608, in the order named.

So ordered.

At ten o'clock and thirty minutes P. M., the Speaker resumed the chair.

Assembly Bill No. 691—An Act to establish a State Lunacy Commission, to provide a uniform government and management of State hospitals for the insane, and to provide for the care, custody, and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties.

Read second time.

The following amendments were submitted:

AMENDMENT No. 1.

Amend Section 2, Article I, line 3, page 1, by striking out the word "having," and inserting in lieu thereof the word "has."

Adopted.

AMENDMENT No. 2.

Amend Section 3, Article I, page 2, line 8, by inserting after the word "extent" the words "shall be an."

Adopted.

AMENDMENT No. 3.

Amend Article I, Section 3, by striking out the word "three" between the words "had" and "years," in line 18, and inserting in lieu thereof the word "six."

Adopted.

AMENDMENT No. 4.

Amend Article I, Section 3, by inserting in line 19, between the words "insane" and "in," the words "at least one year of which must have been."

Adopted.

AMENDMENT No. 5.

Amend Section 3, Article I, page 2, line 26, by striking out the words "The General Superintendent of the State Hospital for the Insane shall receive annually —— dollars, payable monthly, in lieu of his traveling and incidental expenses," and inserting in lieu thereof the following: "He shall also be allowed his actual traveling and incidental expenses, the same to be audited by the other members of the commission."

Adopted.

AMENDMENT No. 6

Amend Section 4, Article I, page 3, line 11, by striking out the word "in" and the word "to," and inserting after the words "pro rata" the word "from"

Adopted.

AMENDMENT No. 7.

Amend Section 12, Article I, page 7, line 16, by striking out after the word "building" the word "and," and inserting in lieu thereof the word "or"; in same section and line, after the word "repair," strike out the word "and," and insert in lieu thereof the word "or."

Adopted.

AMENDMENT No. 8.

Amend Section 12, Article I, page 7, line 16, by adding the letter "s" to the word "repair."

Adopted.

AMENDMENT No. 9.

Amend Section 12, Article I, page 7, line 17, by striking out the words "to be."

Adopted.

AMENDMENT No. 10.

Amend Section 3, Article II, page 9, line 11, by striking out the word "such," and inserting in lieu thereof the word "an."

Adopted.

AMENDMENT No. 11.

Amend Section 5, Article II, page 2, line, 1, by striking out after the word "each" the words "of such boards," and inserting in lieu thereof the words "board of managers."

Adopted.

AMENDMENT No. 12.

Amend Section 5, Article II, page 11, line 9, by striking out the word "the" at the end of said line, and inserting in lieu thereof the word "its."

Adopted.

AMENDMENT No. 13.

Amend Section 5, Article II, page 11, line 10, by striking out the word "homœopathic."

Adopted.

AMENDMENT No. 14.

Amend Section 5, Article II, page 11, line 15, by striking out the word "and," and inserting in lieu thereof the words "who shall be."

Adopted.

AMENDMENT No. 15.

Amend Section 5, Article II, page 12, line 23, by striking out the word "such," and inserting in lieu thereof the word "any."

Adopted.

AMENDMENT No. 16.

Amend Section 5, Article II, page 12, line 24, by striking out the word "such" and inserting in lieu thereof the word "any."

Adopted.

AMENDMENT No. 17.

Amend Section 5, Article II, page 12, line 26, by striking out the words "and such" and inserting in lieu thereof the word "which."

Adopted.

AMENDMENT No. 18.

Amend Article II, Section 6, by striking out the word "the" at the beginning of line 26, and inserting in lieu thereof the words "private or"; also, by striking out the word "the" at the beginning of line 31 (same page), and inserting in lieu thereof the words "private or."

Adopted.

AMENDMENT No. 19.

Amend Section 6, Article II, page 13, by striking out all of subdivisions 4 and 5, and renumbering subdivisions 6, 7, and 8, subdivisions 5, 6, and 7.

Adopted.

AMENDMENT No. 20.

Amend Section 6 by striking out subdivisions 4 and 5, and inserting in lieu thereof the following: "At the Homœopathic State Hospital a first and second assistant physician, each a graduate of an incorporated medical college of the Homœopathic school of medicine; they shall be practitioners of good moral character. The first assistant shall have had not less than two years' experience, and the second assistant not less than one year's experience in the care and treatment of the insane, in hospitals for the treatment thereof."

Adopted.

AMENDMENT No. 21.

Amend Section 6, Article II, page 13, line 64, by striking out the word "by" and inserting in lieu thereof the word "the."

Adopted.

AMENDMENT No. 22.

Amend Section 6, Article II, page 14, line 76, by striking out the words "including the woman physician."

Adopted.

AMENDMENT No. 23.

Amend Section 6, Article II, page 14, line 80, by striking out the words "Commission in Lunacy," and inserting in lieu thereof the words "State Lunacy Commission."

AMENDMENT No. 24.

Amend Section 1, Article III, line 7, page 22, by striking out the words "State Commission in Lunacy," and inserting in lieu thereof the words "State Lunacy Commission."

Adopted.

AMENDMENT No. 25.

Amend Section 1, Article III, page 22, line 9, by striking out the word "fifteen," and inserting in lieu thereof the word "twenty."

AMENDMENT No. 26.

Amend Section 1, Article III, page 22, line 11, by striking out the words "length of time," and inserting in lieu thereof the words "the time stated."

Adopted.

AMENDMENT No. 27.

Amend Section 1, Article III, page 25, line 22, by striking out the words "State Commission in Lunacy," and inserting in lieu thereof the words "State Lunacy Commission."

Adopted.

AMENDMENT No. 28.

Amend Section 2, Article III, page 22, line 5, by striking out the word "has," and inserting in lieu thereof the word "have."

Adopted.

AMENDMENT No. 29.

Amend Section 3, Article III, page 23, line 1, by inserting after the word "application," the words "for a commitment."

Adopted.

AMENDMENT No. 30.

Amend Section 3, Article III, page 24, line 50, by striking out the words "the petition of the applicant" and inserting in lieu thereof the words "application for a commitment."

Adopted.

AMENDMENT No. 31.

Amend Section 3, Article III, page 24, lines 59 and 60, by striking out the words "State Commission in Lunacy" and inserting in lieu thereof the words "State Lunacy Commission."

Adopted.

AMENDMENT No. 32.

Amend Section 3, Article III, page 24, line 62, by striking out the word "petition" and inserting in lieu thereof the words "application for commitment."

Adopted.

AMENDMENT No. 33.

Amend Section 3, Article III, page 24, line 65, by striking out the words "Commission in Lunacy," and inserting in lieu thereof the words "State Lunacy Commission."

Adopted.

AMENDMENT No. 34.

Amend Section 3, Article III, page 24, line 68, by striking out the word "such."

Adopted.

AMENDMENT No. 35.

Amend Section 3, Article III, page 25, line 74, by striking out the word "five," and inserting in lieu thereof the word "fifteen."

Adopted.

AMENDMENT No. 36.

Amend Section 5, Article III, page 26, line 13, by inserting after the word "maintenance" the words "unless otherwise ordered by the judge."

Adopted.

AMENDMENT No. 37.

Amend Section 9, Article III, page 28, line 32, by striking out the word "fifteen," and inserting in lieu thereof the word "twenty."

Adopted.

AMENDMENT No. 38.

Amend Section 9, Article III, page 29, line 41, by inserting after the word "notify" the words "two of."

Adopted.

AMENDMENT No. 39.

Amend Section 17, Article III, page 32, line 3, by striking out the word "settlement," and inserting in lieu thereof the word "residence."

Adopted.

AMENDMENT No. 40.

Amend Section 17, Article III, page 38, lines 8 and 9, by striking out the words "State Commission in Lunacy," and inserting in lieu thereof the words "State Lunacy Commission."

Adopted.

AMENDMENT No. 41.

Amend Article III, Sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22, by renumbering said sections 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21, respectively.

Adopted.

By Mr. Malcolm:

Amend by striking out of Section 10, lines 1, 2, 3, and 4, pages 5 and 6, the words "and accessible only to the commissioners, the secretary, and clerk, except by the consent of the commission or one of its members or an order of a Judge of the Superior Court."

Adopted.

Also: Amend by striking out of Section 12, line 23, page 7, all that part of the section after the word "therein."

Adopted.

Also: Amend by striking out of Section 5, page 11, lines 6 and 7, the words "in the hospitals of the State of California."

Adopted.

Also: Amend by striking out of Article II, Section 6, page 12, lines 25 and 26, the words "in private or state hospitals of the State of California."

Adopted.

Also: Amend by striking out of Article II, Section 6, page 12, lines 30 and 31, the words "in private or state hospitals of the State of California."

Adopted.

By Mr. Price:

Amend by striking out of Section 3, lines 24 and 25, the words "fixed by the four remaining members of the commission at the time of his appointment."

Adopted.

By Mr. Austin:

Amend Section 3, line 27, by inserting after the word "annually," "five hundred."

Adopted.

By Mr. Belshaw:

Amend by striking out of Section 3, line 27, the word "four" and inserting the following: "three."

Lost.

MOTIONS.

Mr. Toland moved to reconsider the vote by which the amendment offered by Mr. Price to Assembly Bill No. 691 was adopted.

Motion lost.

Mr. Toland moved to reconsider the vote by which Assembly Bill No. 620 was refused final passage, and to make the same a special order for to-morrow morning, at ten o'clock and thirty minutes.

So ordered.

RESOLUTION.

By Mr. Cutter:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly in favor of H. J. Jackson, Assistant Clerk, H. E. Montague, Clerk to the Sergeant-at-Arms, and J. Hocking, Bookkeeper to the Sergeant-at-Arms, in the sum of $3 per day each from the date of their respective appointments, and until the expiration of their terms of service; *provided*, that in drawing his warrant, as aforesaid, in favor of J. Hocking, the Controller shall deduct the sum of $117 60, heretofore paid said Hocking for mileage.

Adopted.

GENERAL FILE—SECOND READING OF BILL.

Assembly Bill No. 529—An Act to amend an Act entitled "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," approved March 26, 1895.

Read second time.

The following amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out of Section 1, lines 3 and 4, the words "of more than ten thousand inhabitants."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by inserting after the words "governing body" in Section 1, line 16, "*provided*, that any city or town of less than ten thousand inhabitants may contract for street lighting at a price of ten dollars per month or less for each light of two thousand candle-power without complying with the terms of this Act."

Adopted.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 101—An Act to provide for the purchase of land, the purchase of machinery, the construction of a dam, and other improvements, by the Trustees of the Napa State Asylum for the Insane, and appropriating money therefor.

Read second time.

Assembly Bill No. 748—An Act to provide for the working, dressing, and carving of stone for public work.

Read second time.

The following amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend the title of printed bill to read as follows: "An Act to prohibit the importation into this State of worked, dressed, or carved stone to be used in the erection of public buildings or public works within this State."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out of Section 1 all words from lines 1 to 14, inclusive, and inserting the following: "All stone of any description, except paving-blocks and crushed stone, imported or sent into this State to be used in the erection of any public building or structure whatever, or to be used in public work of any nature or description for this State, or in any county, city and county, or municipality within this State, shall not be so used unless the same shall have been sent or imported into this State in the 'rough,' or in an undressed, unworked, or uncarved condition. A clause must hereafter be inserted in all specifications or contracts hereafter to be awarded by State, county, or municipal authority authorizing or requiring the use of worked, dressed, or carved stone therein, except in specifications or contracts for paving-blocks or crushed stone, to the effect that all such stone shall be dressed, worked, or carved for such use within this State, as required by this Act. Any contractor, sub-contractor, or agent who shall violate any of the provisions of this Act shall by such violation work a revocation of his contract, and shall be liable in damages for any injury sustained to the State or county, city and county, or municipality with which he may have contracted."

Adopted.

Assembly Bill No. 242—An Act making an appropriation to pay the claim of R. L. Peeler, for expenses incurred in attending the funeral of the late General Dimond.

Read second time.

Assembly Bill No. 271—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Read second time.

Senate Bill No. 100—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887, to provide the penalty therefor, and appropriating money to enforce the same.

Read second time.

Mr. Cutter moved that the House do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 242 and 271 and Senate Bills Nos. 100 and 101.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bills Nos. 242 and 271 and Senate Bills Nos. 100 and 101 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 100—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887, to provide the penalty therefor, and appropriating money to enforce the same.

Also: Senate Bill No. 101—An Act to provide for the purchase of land, the purchase of machinery, the construction of a dam, and other improvements, by the Trustees of the Napa State Asylum for the Insane, and appropriating money therefor.

Also: Assembly Bill No. 242—An Act making an appropriation to pay the claim of R. L. Peeler, for expenses incurred in attending the funeral of the late General Dimond.

Also: Assembly Bill No. 271—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor—and now report the same back, and recommend that the same do pass.

COOMBS, Chairman.

Assembly Bills Nos. 242 and 271 and Senate Bills Nos. 100 and 101 ordered on file under the head of unfinished business.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No 824—An Act to empower the Common Council, Board of Trustees, Board of Supervisors, or other legislative or other governing body of cities, or cities and counties, having a population of over one hundred thousand, to pension the widows of firemen.

AUSTIN, Chairman.

MOTION.

Mr. Treacy moved that Assembly Bill No. 849 be made the special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

ADJOURNMENT.

At eleven o'clock and five minutes P. M., on motion of Mr. Clarke, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 6, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, Mulcrevy, McCandlish, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Thursday, March 4th, was approved as corrected.

At 11 o'clock A. M. the Speaker called Mr. Belshaw to the chair.

SPECIAL ORDERS.

Senate Bill No. 136—An Act to establish a uniform system of county and township governments.

Pending second reading, the following amendments were submitted:

By Mr. Shanahan:

Amend by striking out of Section 4, after line 9 of page 2, and inserting a new subdivision, to read as follows:

6. To bring suit to dissolve corporations operating within its limits for violating any laws of the State or county under which such corporations were created, or for the non-performance of obligations assumed by them in favor of the county or State. It shall be the duty of the Attorney-General to assist in the prosecution of any such suit.

Lost.

By Mr. Emmons:

Amend by striking out of Section 15, line 5, the words "by such district and not."

Lost.

By Mr. Dibble:

Amend Section 15 by adding the following: "*provided*, that in any city and county in which there are no supervisoral districts, the Supervisors shall be elected at large, and not by wards."

Adopted.

Mr. Caminetti moved that the amendments to Section 25 go over and

be sent back to the committee, and all amendments to that section to be sent direct to the committee.

So ordered.

By Mr. North, of Yolo:

Amend Section 47, page 30, line 4, by inserting, after the word "county," the following: "*provided*, that all official notices required by law to be published in any manner shall be printed for not less than one week in a newspaper, if there be one published in the county; *and provided further*, that such publication shall be done in the newspaper published in or nearest to the section of county directly affected by such official notices or advertising."

Lost.

By Mr. Emmons:

Amend by inserting in Section 55, line 4, the words "Assistant District Attorney" after the word "Attorney."

Adopted.

By Mr. Shanahan:

Amend Section 55, line 8, by inserting the following between the word "elect" and the word "the". "except as otherwise provided in this Act."

Adopted.

By Mr. Toland:

Amend by striking out of Section 56 the following in lines 7, 8, and 9: the words "and in townships having a population less than five thousand there shall be but one Justice of the Peace and one Constable."

Lost.

By the committee·

Amend by striking out of Section 56, line 6, the word "three," and inserting the following: "four."

By Mr. Caminetti:

Amend the committee amendment by striking out of Section 56, line 6, the word "four," and inserting "five."

Adopted.

Committee amendment, as amended, adopted.

Mr. Emmons moved to reconsider the vote by which Committee Amendment No. 3 to Section 56 was adopted.

So ordered.

The question being on the adoption of Committee Amendment No. 3 to Section 56.

Lost.

Mr. Bridgford moved to reconsider the vote by which the amendment to the committee amendment offered by Mr. Caminetti to Section 56 was adopted.

Lost.

Mr. Soward moved that all amendments to Section 56 be referred back to the committee.

So ordered.

Mr. Dibble moved that the House do now take up Section 15 of Senate Bill No. 136.

So ordered.

Mr. Dibble moved to reconsider the vote by which the amendment offered by him to Section 15, Senate Bill No. 136, was adopted.

So ordered.

Mr. Dibble moved to amend Section 15 by adding the following:

Provided, That in any county or city in which supervisoral districts have not been established by law or ordinance, and in which Supervisors are now required to be elected at large, but from particular wards, the members of the Board of Supervisors shall be elected at large and without regard to residence.

Adopted.

It was ordered that all special orders be continued and made a special order for this afternoon.

The following amendments to Senate Bill No. 136 were offered:

By Mr. Cross:

Amend by adding, after the words "township officers," the following: "and City Justices of the Peace."

Adopted.

By Mr. Bettman:

Amend by inserting in Section 64, line 5, after the word "State," the words "*providing*, that in case of illness or urgent necessity, the Board of Supervisors may, on a proper showing of such illness or urgent necessity, extend the time herein limited, for the absence of any such officer, not to exceed six months."

Adopted.

RESOLUTIONS.

By Mr. Leavitt:

Resolved, That the sum of $11 03 is hereby appropriated out of the Contingent Fund of the Assembly in favor of W. G. Hawkett, for money advanced by him to the Western Union Telegraph Company for two telegrams, one to the President and the other to Hon. George C. Perkins. The Controller is hereby directed to draw his warrant for said amount in favor of said W. G. Hawkett, and the Treasurer is directed to pay the same. Account is hereby attached:

W. G. Hawkett, to Western Union Telegraph Company, Dr.

March 4—Telegram to the President, Washington, 16 words	$1 42
March 5—Telegram to Hon. George C. Perkins, Washington, 133 words	9 61
Total	$11 03

Adopted.

By Mr. Cutter:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of John S. Wilkins, on the Contingent Fund of the Assembly, for the sum of $4 per day, from February 17th until the expiration of the session, for services as Rear Porter of the House.

Adopted.

Mr. Dibble moved that the hour of recess be extended ten minutes.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1897.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 321—An Act to establish the Polytechnic Institute of California in San Luis Obispo County, California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Senate Bill No. 321 placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1897.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 613—An Act to provide a safe place of exhibit and study of the State mineral cabinet, museum, and specimens, and other articles and property of the State, to erect a

building therefor, and make an appropriation therefor—have had the same under consideration, and respectfully report the same back, as amended, and without recommendation.

GUY, Chairman.

Assembly Bill No. 613—An Act to provide a safe place of exhibit and study of the State mineral cabinet, museum, and specimens, and other articles and property of the State, to erect a building therefor, and make an appropriation therefor.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 561—An Act appropriating money to pay the claim of Francis Williams—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

GUY, Chairman.

Assembly Bill No. 561—An Act to appropriate $7,082 to pay the claim of Francis Williams, for services rendered the State of California as an Irrigation Commissioner.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 64—An Act to establish a State hospital for special diseases, to provide for the management and maintenance of the same, and to make an appropriation therefor.

Also: Senate Bill No. 549—An Act to provide for certain improvements and repairs at the San Quentin State Prison, and making an appropriation therefor.

Also: Assembly Bill No. 553—An Act to provide for the survey and construction of a wagon road from Tallac to McKinneys, along the shore of Lake Tahoe

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

GUY, Chairman

Senate Bill No. 64 read first time, and placed on file for second reading.

Senate Bill No. 549 placed on file for second reading.

Assembly Bill No. 553—An Act to provide for the survey and construction of a wagon road from Tallac to McKinneys, along the shore of Lake Tahoe.

Read first time, and placed on file for second reading.

RESOLUTION.

By Mr. Guy:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for the sum of $281 35, in favor of W. O. Banks, Sergeant-at-Arms of Assembly, from the Contingent Fund, to pay for articles as per attached bills.

Resolution and attached bills referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1897.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 28, have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

GOODHUE, Chairman.

RESOLUTION.

By Mr. Burnham:

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 $10, in favor of C. D Case, for services rendered in typewriting amendments to the County Government Bill, and the Treasurer is hereby directed to pay the same.

Adopted.

PETITION.

Mr. Anderson presented the following petition, and asked that it be published in the Journal.

So ordered.

SAN FRANCISCO, March 4, 1897.

To the honorable members of the Assembly, California State Legislature, greeting:

We, the undersigned bodies, business corporations, firms, and individuals learn with gratification that Assembly Bill No. 928, appropriating State funds in aid of making an exhibit of California products at the International Horticultural Exhibition to be held in the City and Port of Hamburg, Germany, has been by the Committee on Ways and Means reported back to the House with the recommendation that it do pass, and now respectfully and most earnestly ask that it may receive such other requisite and necessary favorable consideration and action at your hands as may enable it to become a law. Your attention is called to the shortness of time in which much is to be done, if it is done at all, and you, as constituting the State Government, and each of you as individuals, are most respectfully requested to act as promptly in the matter as circumstances will allow

Gentlemen, we deem it to be a fact that you are aware of the great importance to the State of a worthy installation of an exhibit of California products at Hamburg; that the elements of experiment have no place in the project; that our cured prunes, peaches, apricots, and other fruits already have a sale in that distant market, that the entering wedge has been driven by private enterprise, and that an indefinite but assuredly large commerce is in sight, and which requires only a judicious fostering to be realized You are aware, gentlemen, that Hamburg is the gateway through which is reached the densest and busiest of continental Europe's population, a people who appreciate and want what we have to offer, and who are able and willing to pay in order to obtain. These and many other truths having a direct bearing upon this matter are known to you and need no elaboration here. The bill is one, it is confidently believed, that will quickly and largely develop a permanent and important market

Gentlemen, we submit that the bill is just and reasonable, and in consonance with good state policy. Its passage would meet with general satisfaction among the people, irrespective of party affiliations or political preferences. It would be looked upon as a wise legislative work that had for its object the encouragement of a great industry and the upbuilding of a great State. Time is the essence in this matter, and your petitioners most respectfully ask that your favorable action be given speedily.

And your petitioners will ever pray, etc.

(Signed:) The Chamber of Commerce of San Francisco, Hugh Craig, President, Manufacturers' and Producers' Association of California Julian Sonntag, President; California State Board of Trade, J. A Filcher, Secretary; Merchants' Association, F W. Dohrmann, President; Board of Trade of San Francisco, A. A. Watkins, President; San Francisco Produce Exchange, A Gerberding, President; San Francisco Fruit Exchange, H. Bendel, President.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1897.

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No 437—An Act to amend Section 752 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.

VALENTINE, Chairman.

Senate Bill No. 437 placed on file for second reading.

RESOLUTION.

By Mr. Austin:

Resolved, That for and by reason of services rendered as File Clerk of the Assembly from January 4, 1897, to January 10, 1897 (both dates inclusive), P J. Arnerich is hereby

allowed seven days' pay, at the per diem as fixed by law, payable out of the appropriation for the contingent expenses of the Assembly. The Controller is hereby directed to draw his warrant for said per diem, and the Treasurer directed to pay the same

Referred to Committee on Attachés and Employés.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1897.

MR SPEAKER: Your Committee on Judiciary, to whom was referred charges against A. A Friedlander, have had the same under consideration, and respectfully report that the committee are of the opinion that the facts shown by the evidence before the committee do not indicate any intention on the part of Mr. Friedlander to commit an offense.

Also: Senate Bill No. 48—An Act to provide for additions and improvements to the Deaf and Dumb and Blind Asylum, and making an appropriation for the same.

Also: Senate Bill No 291—An Act to provide for reseating the hall in the State Normal School building, at San José and for the building of a gymnasium for the said State Normal School, and to provide an appropriation therefor.

Also: Senate Bill No. 399—An Act making an appropriation for the purpose of constructing a reservoir, and laying and maintaining a line of pipe from said reservoir to the Marshall monument, and for other purposes

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Ways and Means.

WAYMIRE, Chairman.

So ordered.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1897

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 519—An Act to amend Section 276 of the Code of Civil Procedure, relating to the examination of applicants for admission to practice law.

Also: Assembly Bill No. 977—An Act to amend Section 170 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

WAYMIRE, Chairman.

Assembly Bill No. 519—An Act to amend Section 276 of the Code of Civil Procedure, relating to the examination of applicants for admission to practice law.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1897

MR SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 442—"An Act to add a new section to the Code of Civil Procedure, to be known as Section 1792½ thereof, relating to the sale of the interest of a ward in homestead property"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WAYMIRE, Chairman.

Senate Bill No. 442 placed on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1897

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 393—An Act to amend Sections 1817 and 1818 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.

ROBINSON, Chairman

Senate Bill No. 393 placed on file for second reading.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations hereby report the following temporary rule, under Rule LXVII of the Assembly: That the following be considered at a meeting of the Assembly to be held Monday evening, March 8th, commencing at seven o'clock and thirty minutes; that no other business be transacted pending consideration of said measures, except by unanimous consent:

Assembly Constitutional Amendment No. 40—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.

Assembly Constitutional Amendment No. 32—Proposed amendment to Article I, relating to declaration of rights.

Assembly Constitutional Amendment No. 1—Proposed amendment to Section 1 of Article XVIII of the Constitution, relative to amendments.

Assembly Constitutional Amendment No. 2—Proposed amendment to Section 1, Article IV, of the Constitution, relative to legislative power.

Assembly Constitutional Amendment No. 3—Proposed amendment to Section 11, Article XI, of the Constitution.

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to Section 8 of Article I of the Constitution of the State of California, relative to grand juries.

Assembly Constitutional Amendment No. 44—Proposed amendment to Article IV of the Constitution, adding a new section thereto, with reference to local legislation.

Assembly Constitutional Amendment No 41—A resolution to propose to the people of the State of California an amendment to Section 34 of Article IV of the Constitution of the State of California

Assembly Constitutional Amendment No. 8—To amend Article IV, by adding a new section, with reference to local legislation.

Assembly Constitutional Amendment No. 9—To amend Section 7 of Article I, relative to juries.

Assembly Constitutional Amendment No. 10—To amend Section 5 of Article XI, relative to county officers and their compensation.

Assembly Constitutional Amendment No 30—Proposed amendment to Article XIII, Section 1, of the Constitution, relative to revenue and taxation.

Assembly Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to Section 9 of Article XIII of the Constitution of the State of California.

Assembly Constitutional Amendment No 34—Proposed amendment to Article IV of the Constitution, relative to the sessions of the Legislature

Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to Section 1 of Article XIII of the Constitution, in relation to revenue and taxation.

Assembly Constitutional Amendment No. 26—Proposed amendment to Section 1 of Article II of the Constitution, relative to the right of suffrage

Assembly Constitutional Amendment No. 36—Proposition to amend Section 15 and Section 16 of Article V of the Constitution of the State of California.

CHYNOWETH, Chairman.

Report adopted, on motion of Mr. Dibble.

RECESS.

The hour of twelve o'clock and thirty minutes P. M. having arrived, Mr. Belshaw, being in the chair, declared a recess until two o'clock P. M.

REASSEMBLED.

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

Quorum present.

REPORT OF COMMITTEE ON REVISION OF FILES.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1897.

MR. SPEAKER. Your select Committee on Revision of Files would respectfully report that they have consulted with the authors of the following bills, and that they have consented that the said bills be stricken from the files

Third-Reading File.

File No. 74, Assembly Bill No. 72—Foreman.
File No. 77, Assembly Bill No. 59—Sanford.
File No. 81, Assembly Bill No. 348—Anderson.
File No. 86, Assembly Bill No. 359—Godfrey.
File No. 87, Assembly Bill No. 360—Godfrey.
File No. 89, Assembly Bill No 105—North of Alameda.
File No. 90, Assembly Bill No. 55—Sanford.
File No. 91, Assembly Bill No 53—Sanford.

File No. 94, Assembly Bill No. 103—Leavitt.
File No. 95, Assembly Bill No. 197—Leavitt.
File No. 96, Assembly Bill No. 289—Breiling.
File No. 97, Assembly Bill No. 298—Aldridge.
File No. 119, Assembly Bill No. 51—Sanford.

Second-Reading File.

File No. 124, Assembly Bill No. 355—Cartwright.
File No. 127, Assembly Bill No 558—North of Alameda.
File No. 128, Assembly Bill No. 559—North of Alameda.
File No. 130, Assembly Bill No. 266—Canavan.
File No. 131, Assembly Bill No. 493—Pohlmann.
File No 133, Assembly Bill No. 394—McLaurin.
File No. 138, Assembly Bill No. 269—Burnett.
File No. 139, Assembly Bill No. 540—Gately.
File No. 145, Assembly Bill No. 388—Sims.
File No. 152, Assembly Bill No. 347—Treacy.
File No. 153, Assembly Bill No. 99—Moultrie.
File No. 158, Assembly Bill No. 274—North of Alameda.
File No. 159, Assembly Bill No. 624—Emmons.
File No. 164, Assembly Bill No. 407—Gately.
File No. 168, Assembly Bill No. 409—Bettman.
File No. 177, Assembly Bill No. 111—Breiling.
File No. 203, Assembly Bill No. 339—Sims.
File No. 204, Assembly Bill No. 567—Ennis.
File No. 211, Assembly Bill No 662—Goodhue.
File No. 213, Assembly Bill No. 552—Power of Placer.
File No. 217, Assembly Bill No. 774—Mahoney.
File No. 218, Assembly Bill No. 835—Goodhue.
File No. 225, Assembly Bill No. 619—Rubell.
File No. 227, Assembly Bill No. 198—Keables.
File No. 229, Assembly Bill No. 573—Belshaw.
File No. 230, Assembly Bill No. 868—McClellan
File No. 233, Assembly Bill No 886—Godfrey.
File No. 238, Assembly Bill No. 804—Soward.
File No 239, Assembly Bill No. 377—Caminetti.
File No. 245, Assembly Bill No 854—Bettman.
File No. 248, Assembly Bill No. 303—Guy
File No. 249, Assembly Bill No. 447—Mulcrevy.
File No. 250, Assembly Bill No. 640—Vosburg.
File No. 263, Assembly Bill No 670—Hill.
File No. 271, Assembly Bill No. 692—Godfrey.
File No. 277, Assembly Bill No. 309—Kelly.
File No. 293, Assembly Bill No. 508—Shanahan.
File No 294, Assembly Bill No. 809—Elliott.
File No. 308, Assembly Bill No. 435—Austin.
File No. 156, Assembly Bill No. 299—Aldridge.
File No. 161, Assembly Bill No. 401—Austin.
File No. 126, Assembly Bill No 400—Austin.

SHANAHAN, Chairman.

INTRODUCTION OF CONCURRENT RESOLUTION.

Mr. North, of Alameda, offered the following resolution, and asked that it go to print and be published in the Journal.

So ordered.

ASSEMBLY CONCURRENT RESOLUTION No. 10.

Directing the State Printer to print thirty thousand copies of Assembly Concurrent Resolution No. 9, relative to welcome of Christian Endeavor International Convention to be held in San Francisco, July, 1897, and for the distribution thereof.

WHEREAS, There has been adopted Assembly Concurrent Resolution Number Nine, extending to the Society of Christian Endeavor a welcome to the State of California, upon the occasion of their sixteenth annual international convention, to be held in the City of San Francisco, July seventh to twelfth, eighteen hundred and ninety-seven; and

WHEREAS, It is believed to be for the best interest of the people of the State of California that a sufficient number of copies of said resolution be published in suitable form, to afford an opportunity to place a copy thereof in the hands of each visitor to the State upon the occasion of such convention; therefore, be it

Resolved by the Assembly, the Senate concurring therein, That the State Printer be and he is hereby directed to prepare and publish in the form of a booklet, journal page size, on coated book paper of sixty to eighty pounds per ream, thirty thousand copies of Assembly Concurrent Resolution Number Nine, relative to welcome to the Christian Endeavor Societies to the State of California, upon the occasion of their sixteenth annual international convention, to be held in the City of San Francisco, July seventh

to twelfth, eighteen hundred and ninety-seven; and that the State Printer use in publishing such resolution, as aforesaid, such half-tone or other picture plates of public buildings and other notable features of the State as are indicated in such resolution; *provided*, such half-tone or other picture plates are either now owned by the State or are furnished free of cost for use by the State Printer for this purpose; such publication to be paid for out of the Contingent Fund of the Assembly, and the Controller is hereby authorized to draw a warrant in favor of the State Printer in payment therefor; and that when completed, the said copies of such resolution in booklet form shall be distributed as follows: To the Secretary of State, for distribution to members of the Legislature, State officers, and such others as he may deem proper, five hundred copies; to the executive committee of the International Christian Endeavor Convention, San Francisco, twenty-nine thousand five hundred copies

SPECIAL ORDERS.

Assembly Bill No. 977—An Act to amend Section 170 of the Code of Civil Procedure.

Read second time.

The following amendment was submitted:

Strike out all of subdivision 4 of printed bill, and insert in lieu thereof the following:

4. When it appears from the affidavit or affidavits on file that either party cannot have a fair and impartial trial before the justice or judge about to try the case, by reason of the prejudice or bias of such justice or judge, said justice or judge shall forthwith secure the services of some other justice or judge of the same or another county to preside at the trial of said action or proceeding; *provided*, that in an action in the Superior Court of a county, or of a city and county, having more than one department, said action shall be transferred to another department thereof, and tried therein in the same manner as though originally assigned to such department.

The affidavit or affidavits alleging the disqualification of a justice or judge must be filed at least ten days before the day set for trial of such action or proceeding, *provided*, counter affidavits may be filed at least five days before the day set for trial of such action or proceeding.

But the provisions of this section shall not apply to the arrangement of the calendar, or to the regulation of the order of business, nor the power of transferring the action or proceeding to some other court, or the hearing upon such affidavits.

Adopted.

Assembly Bill No. 977 ordered to printer and reengrossment.

Senate Bill No. 136—An Act to establish a uniform system of county and township governments.

Further consideration postponed, to retain place on file of special orders.

Mr. Leavitt moved that all the bills upon the file under the head of unfinished business be made a special order for next Monday, immediately after reading of the Journal.

So ordered.

Mr. Wright moved that the House do now take up Senate special file.

So ordered.

SENATE SPECIAL FILE.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Passed on file.

Senate Bill No. 113—An Act to amend Section 685 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.

Senate Bill No. 108—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Anderson, Bettman, Boone, Breiling, Bridgford, Burnham, Canavan, Cartwright, Chynoweth, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Harris, Houghton, Hudson, Jones, Keables, Kelly, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Malcolm, Melick, Mulcrevy, McClellan, North of Alameda, Pohlmann, Power of Placer, Robinson, Rubell, Sanford, Sims, Soward, Strain, Toland, Treacy, Vosburg, and Wright—51.

NOES—Mr. McCandlish—1.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Burnham was granted leave of absence for the remainder of the day.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 14—An Act to validate the organization and incorporation of municipal corporations.

Read third time.

The question being on the final passage of the bill.

The roll was called.

Pending the announcement of the result, Mr. Bettman moved a call of the House.

The roll was called, and the motion for a call of the House carried by the following vote:

AYES—Messrs. Arnerich, Bettman, Boone, Breiling, Bridgford, Canavan, Cross, Cutter, Damon, Dennery, Dryden, Elliott, Ennis, Foreman, Goff, Hill, Houghton, Jones, Keables, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Malcolm, Melick, Mulcrevy, North of Alameda, Power of Placer, Price, Soward, Toland, Valentine, and Vosburg—34.

NOES—Messrs. Aldridge, Anderson, Cartwright, Chynoweth, Dibble, Gately, Godfrey, Goodhue, Henry, Mahoney, Moultrie, McCandlish, Power of San Francisco, Rubell, Sanford, Shanahan, and Strain—17.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Anderson, Arnerich, Bettman, Boone, Breiling, Bridgford, Canavan Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Kelly, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Moultrie, Mulcrevy, McCandlish, McClellan, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Sanford, Shanahan, Sims, Soward, Strain, Toland, Treacy, Valentine, Vosburg, and Wright.

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

Motion lost.

The following members: Messrs. Allen, Austin, Belshaw, Caminetti, Dennery, Dolan, Emmons, Keegan, Lacy, Mead, McGrath, North of Yolo, Robinson, Ryan, Stansell, Waymire, and Mr. Speaker, were absent without leave, and Mr. Dibble, in the chair, directed the Sergeant-at-Arms to bring the absent members before the bar of the House.

Mr. Belshaw was brought before the bar of the House by the Sergeant-at-Arms, and excused by the House.

Mr. Dolan was also brought before the bar of the House by the Sergeant-at-Arms, and excused by the House.

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

Lost.

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

So ordered.

The Speaker then announced the result of the roll call, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Belshaw, Bettman, Boone, Breiling, Burnett, Canavan, Cross, Cutter, Damon, Dennery, Dolan, Elliott, Ennis, Fontana, Foreman, Goff, Goodhue, Guy, Harris, Henry, Hill, Jones, Keables, Kelly, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Malcolm, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Shanahan, Sims, Soward, Strain, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—49

NOES—Messrs. Aldridge, Anderson, Bridgford, Cartwright, Chynoweth, Clarke, Dibble, Dryden, Gately, Godfrey, Houghton, Hudson, Lindenberger, Mahoney, Moultrie, McCandlish, McClellan, Power of San Francisco, Rubell, Sanford, and Toland—21.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 14 was passed.

EXPLANATION OF VOTE.

Mr. North, of Alameda, offered the following explanation of his vote on Senate Bill No. 14:

This bill affects the incorporation of the town of Emeryville, in Alameda County, which has already been incorporated by local vote of its citizens. So far as I can see, the measure is a just one, and harms no one, so I vote in the affirmative.

MOTION.

Mr. Cutter moved to suspend the rules and take up Assembly Bill No. 980 at this time.

So ordered.

Assembly Bill No. 980—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read second time.

Mr. Cutter moved that the Assembly resolve itself into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Assembly Bill No. 980.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Dibble in the chair.

Assembly Bill No. 980 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Dibble in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 980—An Act to provide for an appropriation for the contingent expenses of the Assembly—and now report back to the House, and recommend that the same do pass.

DIBBLE, Chairman.

Report adopted.

Assembly Bill No. 980 considered engrossed and ordered to third reading.

RESOLUTION—(CASE OF URGENCY).

By Mr. Cutter:

Resolved, That Assembly Bill No. 980 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The question being on the adoption of the resolution to suspend the constitutional provision.

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

AYES—Messrs Aldridge, Anderson, Belshaw, Boone, Breiling, Burnett, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Toland, Valentine, Vosburg, Wright, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 980—An Act to provide for an appropriation 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. Aldridge, Anderson, Belshaw, Breiling, Burnett, Canavan, Cartwright, Clarke, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Gately, Goff, Goodhue, Guy, Harris, Houghton, Hudson, Jones, Keables, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, Moultrie, Mulcrevy, McCandlish, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Toland, Treacy, Valentine, and Wright—54.

NOES—Mr. Boone—1.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1897.

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

Resolved, That the Committee on Rules and Regulations be and it is hereby instructed to report a special urgency file, to contain one bill placed thereon at the request of each member of the House, and that such urgency file be considered from and after three o'clock and thirty minutes P. M., daily, beginning Saturday, March 6, 1897, and until all bills on said file have been considered. The file shall be arranged by placing the names of all members in a hat, and position on file made by drawing therefrom.

Beg leave to report the following urgency file, prepared according to the provision of said resolution, to be considered from and after three o'clock and thirty minutes P M, daily, beginning Saturday, March 6, 1897:

1. Cross, Senate Bill No 422.
2. Toland, Assembly Bill No. 932.
3. McCandlish, ——.
4. Valentine, Senate Bill No. 38.
5. Dibble, Assembly Bill No. 882.
6. Lindenberger, Assembly Bill No. 789.
7. Kelly, Assembly Bill No. 723
8. Guy, ——
9. Goodhue, Assembly Bill No. 922.
10. Belshaw, ——.
11. Ryan, Assembly Bill No. 943.
12. Boone, Assembly Bill No. 964
13. Burnham, Assembly Bill No. 402
14. Lacy, Assembly Bill No 318.
15. Shanahan, ——.
16. Keables, Assembly Bill No. 612.
17. Dryden, Assembly Bill No 647
18. Mulcrevy, Assembly Bill No. 312
19. Vosburg, Senate Bill No. 4
20. Power, of Placer, Assembly Bill No. 553.
21. Henry, Senate Bill No. 419.
22. Cartwright, Assembly Bill No. 522.

23. Leavitt, Assembly Bill No. 766.
24. Anderson, Senate Bill No. 102.
25. Kelsey, Assembly Bill No. 928.
26. Damon, Senate Bill No. 684.
27. Dennery, ——.
28. Clarke, Assembly Bill No. 981.
29. Treacy, Assembly Bill No. 959.
30. Jones, Assembly Bill No 141
31. Gately, Assembly Bill No 948.
32. Ennis, Assembly Bill No. 728
33. Pohlmann, Assembly Bill No 885.
34. Fontana, Senate Bill No 56.
35. Aldridge, Assembly Bill No 277.
36. Goff, Senate Bill No 614.
37 Rubell, Assembly Bill No. 952.
38. Waymire, ——
39. Power, of San Francisco, A. B. No. 577.
40. Hudson, Assembly Bill No. 798
41. McClellan, Assembly Bill No. 449.
42. Burnett, Senate Bill No. 321.
43. Hill, Assembly Bill No 582.
44. Cutter, Assembly Bill No. 362
45. Moultrie, Assembly Bill No. 242.
46. Stansell, Senate Bill No. 389.
47. Soward, Senate Bill No 604.
48. Malcolm, Assembly Bill No 890
49 Dolan, Assembly Bill No. 942.
50. Sims, ——.
51. Arnerich, Assembly Bill No 926.
52 Coombs, Senate Bill No. 101.
53. Canavan, Assembly Bill No. 713.
54. Mead, Assembly Bill No. 786.
55. Godfrey, Senate Bill No. 689.
56. Robinson, Assembly Bill No. 626.
57. Harris, Assembly Bill No. 296.
58. North, of Yolo, ——
59. Chynoweth, Senate Bill No 480
60. Price, Assembly Bill No. 729.
61. Landsborough, Assembly Bill No. 638.
62. Bridgford, ——.
63. Mahoney, Assembly Bill No. 61.
64. Houghton, Assembly Bill No. 913.
65. Keegan, Assembly Bill No. 960.
66. Caminetti, ——.
67. North, of Alameda, ——.
68. Melick, Assembly Bill No. 857
69. Sanford, ——.
70. Elliott, Assembly Bill No. 586.
71. Emmons, ——.
72. Wright, Senate Bill No. 612.
73. McGrath, Assembly Bill No. 824.
74. Breiling, ——.
75. Foreman, Assembly Bill No. 877.
76. Kenyon, Assembly Bill No. 775.
77. Bettman, Assembly Bill No. 384.
78. Allen, Senate Bill No 451.
79. Strain, Assembly Bill No. 927.
80. Austin, ——.

Report adopted.

MOTION.

Mr. Leavitt moved to suspend the rules and take up Senate messages. So ordered.

WITHDRAWAL OF BILL.

Mr. Sanford was granted unanimous consent to withdraw Senate Bill No. 642.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 5, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 5th day of March, 1897, passed Senate Bill No 473—An Act to amend an Act entitled "An Act to enforce the educational rights of children," approved March 28, 1874, relating to the duties of certain officers in connection therewith, by repealing Section 2 of said Act.

Also: Senate Bill No. 164—An Act to amend Section 634 of the Political Code, in relation to insurance, approved April, 1878.

Also: Senate Bill No 574—An Act amending Section 534 of the Political Code.

F. J. BRANDON, Secretary
By G. W. McINTYRE, Assistant

Senate Bill No. 473—An Act to amend an Act entitled "An Act to enforce the educational rights of children," approved March 28, 1874, relating to the duties of certain officers in connection therewith, by repealing Section 2 of said Act.

Read first time, and placed on file for second reading.

Senate Bill No. 164—An Act to amend Section 634 of the Political Code, in relation to insurance, approved April, 1878.

Read first time, and placed on file for second reading.

Senate Bill No. 574—An Act amending Section 534 of the Political Code.

Read first time, and placed on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 5th day of March, 1897, passed Assembly Bill No. 157—An Act to regulate the width of tires of wagons used on the public highways of the State of California.

Also: Assembly Bill No 138—An Act entitled "An Act to amend Section 2003 of the Political Code"

Also: Assembly Bill No 128—An Act to enable any county, city and county, city, or town to lease property to associations of ex-soldiers and sailors.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Assembly Bills Nos. 157, 138, and 128 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 5th day of March, 1897, amended, and passed as amended, the following: Assembly Bill No. 45—An Act requiring every corporation doing business in this State to pay their employés, and each of them, at least once in each and every month, the wages earned by such employé; to limit the defenses which may be set up by such corporation 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 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.

Also: Assembly Bill No. 843—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, by amending Section 1 of said Act

Also: Assembly Bill No. 827—An Act to amend Section 3664 of the Political Code, as amended by an Act approved March 9, 1883, and Section 3665 of the Political Code, as amended by an Act approved March 31, 1891.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Assembly Bill No. 843—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, by amending Section 1 of said Act.

The following Senate amendment was submitted:

Amend by striking out of Section 1, line 1, the words "said Act," and inserting in lieu thereof the following: "An Act providing for the sale of railroad and other franchises in municipalities, and relating to granting franchises," approved March 23, 1893.

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. Aldridge, Anderson, Belshaw, Breiling, Bridgford, Canavan, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Fontana, Foreman, Gately, Goff, Goodhue, Hill, Hudson, Keables, Kelly, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, Moultrie, McCandlish, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Sims, Soward, Strain, Valentine, Vosburg, and Wright—49.

NOES—Messrs. Shanahan and Treacy—2.

Assembly Bill No. 843 ordered to enrollment.

At four o'clock and thirty minutes P. M., the Speaker resumed the chair.

MOTION.

Mr. Breiling moved that the rules be suspended and the Assembly do now take up Assembly Concurrent Resolution No. 7.

So ordered.

Assembly Concurrent Resolution No. 7—Relating to the appointment of a non-partisan joint committee for examining sites for the foundation of a new State's prison.

Mr. Valentine moved that the resolution be laid on the table.

The ayes and noes were demanded by Messrs. Canavan, Ryan, and Breiling.

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

AYES—Messrs Aldridge, Belshaw, Boone, Bridgford, Clarke, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Goodhue, Hill, Houghton, Hudson, Keables, Kelsey, Leavitt, Malcolm, McClellan, North of Alameda, North of Yolo, Power of Placer, Price, Robinson, Rubell, Sanford, Shanahan, Sims, Soward, Strain, Valentine, Wright, and Mr. Speaker—36.

NOES—Messrs. Breiling, Burnett, Canavan, Cartwright, Cross, Dolan, Godfrey, Goff, Henry, Kelly, Kenyon, Landsborough, Lindenberger, Mahoney, Melick, McCandlish, McGrath, Power of San Francisco, Ryan, Toland, Treacy, and Vosburg—22.

NOTICE OF RECONSIDERATION.

Mr. Emmons gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Concurrent Resolution No. 7 was laid on the table.

MOTION.

Mr. Dibble moved that the consideration of the special order reported by the Committee on Rules and Regulations for this hour go over until Monday at the usual time.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Treacy, Ryan, and Price.

The question being, "Shall the main question be now put?"

So ordered.

The motion of Mr. Dibble was put and lost.

Mr. Valentine moved that the special order reported by the Committee on Rules and Regulations be made the special order for this evening, at seven o'clock and thirty minutes.

So ordered.

LEAVE OF ABSENCE.

Messrs. Lacy and Allen were granted leave of absence until Monday next, at twelve o'clock M.

MOTIONS.

Mr. Shanahan moved that all the special orders of the day be continued as special orders for Tuesday morning, immediately after reading of the Journal.

Mr. Toland moved to amend and make all special orders for this evening.

Amendment lost.

Mr. Shanahan's motion carried.

Mr. Lindenberger moved that he be allowed to substitute Assembly Bill No. 343 (No. 185 on special urgency file) for Senate Bill No. 789 (No. 443 on file).

So ordered.

RECESS.

At five o'clock P. M., Mr. Clarke moved that the House do now take a recess until seven o'clock and thirty minutes P. M.

So ordered.

REASSEMBLED.

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

Quorum present.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 26—An Act to amend Section 15 of an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled "An Act for the relief of the inhabitants of cities and towns upon public lands,"' approved March 2, 1867," approved March 13, 1868

Also: Assembly Bill No. 741—An Act to regulate the salaries of certain officers in the police department within municipalities of the first class, in the State of California, and to provide for the appointment and salaries of other officers of such departments.

Also: Assembly Bill No. 452 (Substitute for Assembly Bill No. 38)—An Act to amend Section 626 of the Penal Code, relating to fish and game.

And presented the same to the Governor on this day, at eleven o'clock and forty-five minutes A. M.

Also: Assembly Bill No. 17—An Act fixing the minimum rate of compensation for labor on public works.

Also: Assembly Bill No 706—An Act authorizing the Clerk of the Supreme Court to furnish his office, and make an appropriation therefor

Also: Assembly Bill No. 14—An Act to amend Section 2955 of the Civil Code of California, respecting the mortgaging of personal property.

Also: Assembly Bill No. 454—An Act to amend Section 1 of an Act entitled "An Act for the further protection of stockholders in mining companies," approved March 23, 1880.

And presented the same to the Governor on this day, at ten o'clock and fifty minutes A. M.

FONTANA, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 320—An Act making an appropriation to pay the expenses of experts and the costs and expenses of litigation of the suit now pending in the Circuit Court of the United States for the Northern District of California, wherein the Southern Pacific Company is plaintiff and the Board of Railroad Commissioners is defendant.

Assembly Bill No. 657—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.

Assembly Bill No. 862—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the powers of the Boards of Trustees of certain cities.

Assembly Bill No. 242—An Act making an appropriation to pay the claim of R. L. Peeler, for expenses incurred in attending the funeral of the late General Dimond.

Assembly Bill No. 271—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

LEAVITT, Acting Chairman.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1897.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to Section 34 of Article IV of the Constitution of the State of California.

Also: Assembly Constitutional Amendment No 36—Proposition to amend Section 15 and Section 16 of Article V of the Constitution of the State of California.

Also: Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California an amendment to Article IV of the Constitution of the State of California

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

SIMS, Chairman.

SPECIAL URGENCY FILE.

Assembly Bill No. 499—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add two new sections to said Act, to be known as Sections 20 and 21.

Read second time, and ordered engrossed and to third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1897.

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

Resolved, That the Committee on Attachés and Employés be and they are hereby directed to report to this House all attachés now on the payroll that can be got along without, and that when so reported their names shall be stricken from the payroll of the Assembly; the committee are further directed to make this report before Saturday next.

Have had the same under consideration, and respectfully report the same back, and recommend that the following persons be dropped from the Assembly payroll from and after this date:

	Per Day
C D. Case, Porter	$4 00
M. McCloud, Porter	4 00
Henry Colgan, Porter	4 00
G. H. Smith, Porter	4 00
John Niemore, Gallery Watchman	4 00
H. A Downer, Usher	4 00
Wm Grinsell, Assistant Doorkeeper	4 00
A. Williams, Gallery Porter	4 00
J. S. Robinson, Assistant File Clerk	4 00
James Costello, Assistant File Clerk	4 00
H. J Jackson, Assistant Clerk	5 00
J. S Levy, Bill File Clerk	5 00
Miss Goodhue, History Clerk	8 00
J. Field, Assistant Bill Clerk	4 00
A. J. Brannan, Assistant File Clerk	4 00
Harry Johnson, Cloak Room Clerk	4 00

Mr. Bettman moved that the report of the Committee on Attachés and Employés be laid on the table.

Lost.

Mr. Canavan moved that the report be made the special order for next Wednesday afternoon.

Lost.

Mr. Wright moved that the report of the Committee on Attachés and Employés be adopted.

So ordered.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 8—An Act to amend Section 1880 of the Code of Civil Procedure of the State of California, relating to witnesses.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Anderson, Arnerich, Bettman, Canavan, Cartwright, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Godfrey, Guy, Houghton, Jones, Keables, Kelly, Kelsey, Landsborough, Leavitt, Mahoney, Malcolm, Melick, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Toland, Treacy, Vosburg, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 8 was finally passed.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 873—An Act to amend Section 307 of an Act entitled "An Act to establish a Civil Code," relating to the formation of corporations.

Read second time, and ordered engrossed and to third reading.

Senate Bill No. 372—An Act to amend Sections 1254 and 1257 of the Code of Civil Procedure, relating to the right of eminent domain.

Mr. Cross moved that Senate Bill No. 480 be substituted for Senate Bill No. 372 on the file.

So ordered.

Senate Bill No. 480—An Act to amend Section 465 of the Civil Code, relating to the powers of railroads.

Read second time, and ordered on unfinished-business file and to third reading.

Assembly Bill No. 610—An Act to amend Section 1618 of the Code of Civil Procedure of California, relating to the salaries of Public Administrators.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 320—An Act making an appropriation to pay the expenses of experts and the costs and expenses of litigation of the suit now pending in the Circuit Court of the United States for the Northern District of California, wherein the Southern Pacific Company is plaintiff and the Board of Railroad Commissioners of the State of California is defendant.

Read third time.

The question being on the final passage of the bill.

The roll was called.

Pending the announcement of the result, Mr. Belshaw moved a call of the House.

Lost.

The Speaker announced the result of the roll call, and the bill was refused final passage by the following vote:

AYES—Messrs. Aldridge, Anderson, Belshaw, Burnett, Cartwright, Clarke, Dibble, Elliott, Fontana, Houghton, Hudson, Landsborough, Lindenberger, Mead, Power of Placer, Rubell, Sanford, Toland, Treacy, and Vosburg—20.

NOES—Messrs. Arnerich, Bettman, Canavan, Cross, Cutter, Damon, Dolan, Dryden, Ennis, Godfrey, Goff, Guy, Harris, Hill, Jones, Keables, Kelly, Kelsey, Malcolm, Melick, McGrath, North of Alameda, Pohlmann, Ryan, Shanahan, Sims, Soward, Wright, and Mr. Speaker—29.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 320 was refused final passage.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 166—An Act to amend Sections 1523, 1524, and 1536 of the Penal Code, relating to search warrants.

Mr. North, of Alameda, moved to substitute for Assembly Bill No. 166 on this file, Assembly Bill No. 875.

So ordered.

Assembly Bill No. 166 ordered on file of unfinished business.

Assembly Bill No. 875—An Act to create a commission for the purpose of examining, testing, and investigating voting machines, and reporting to the Legislature, at its thirty-third session, the result of such investigation, and making an appropriation for the expenses of such commission.

Read second time.

The following amendments were submitted by Mr. North, of Alameda:

Amend Section 1, line 7, by inserting the following after the word "persons": "who shall not be members of the same political party."

Adopted.

Also: Amend by striking out of Section 1, line 7, all after the words "to be appointed," all of lines 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17, and all in line 18, except the words "the Governor shall," and inserting the following after the word "appointed," in line 7: the words "by the Governor."

Adopted.

Assembly Bill No. 875 ordered to printer, reëngrossment, and third reading.

Assembly Bill No. 631—An Act to repeal Section 3640 of the Political Code of California, relating to the duties of Assessor.

Read second time.

The following amendments were submitted.

Amend by striking out of Section 1, line 2, of the printed bill, the word "repealed," and inserting the following: "amended to read as follows:

"Section 3640. The County Assessor of each county in this State must, at the same time in each year when he prepares a roll containing the taxable inhabitants of his district or county, enroll all the inhabitants thereof subject to military duty, which roll must be sworn to by him, and delivered to the clerk of the Board of Supervisors at the same time he delivers the assessment roll. In the City and County of San Francisco the Tax Collector must perform the duties by this section imposed upon Assessors."

Adopted.

By Mr. Dibble:

Amend by striking out of the title the word "repeal," and inserting the following: "amend."

Adopted.

Assembly Bill No. 631 ordered to printer, reëngrossment, and third reading.

Assembly Bill No. 609—An Act to prevent deception in trade, and to prevent the giving of prizes by persons, firms, or corporations engaged in trade.

Read second time.

The following amendment was submitted:

Amend Section 1, line 15, by striking out the words "one thousand," and inserting in lieu thereof the words "five hundred."

Adopted.

Assembly Bill No. 609 ordered to printer, engrossment, and third reading.

Assembly Bill No. 225—An Act making an appropriation to pay the claim of Clarence S. Merrill, for services as reporter in a court of inquiry of the National Guard 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. Anderson, Arnerich, Bettman, Burnham, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Elliott, Emmons, Fontana, Foreman, Gately, Goff, Goodhue, Guy, Hill, Jones, Keables, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, McGrath, North of Alameda, Pohlmann, Power of Placer, Robinson, Ryan, Shanahan, Sims, Toland, Treacy, Vosburg, Wright, and Mr. Speaker—42

NOES—Messrs. Chynoweth, Dryden, Houghton, North of Yolo, Rubell, Sanford, and Strain—7.

Title read and approved.

At nine o'clock P. M., the Speaker called Mr. Leavitt to the chair.

Assembly Bill No. 653—An Act to reduce the expenses of the government of the State.

Read third time.

Mr. Dibble moved to strike out the enacting clause of Assembly Bill No. 653.

The question being on the adoption of the motion of Mr. Dibble.

The ayes and noes were demanded by Messrs. Cross, Belshaw, and Cutter.

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

AYES—Messrs. Canavan, Dibble, Dolan, Emmons, Ennis, Goff, Goodhue, Guy, Jones, Leavitt, Mahoney, McGrath, Pohlmann, Ryan, Wright, and Mr. Speaker—16.

NOES—Messrs. Aldridge, Anderson, Arnerich, Belshaw, Bettman, Burnett, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dryden, Elliott, Fontana, Foreman, Harris, Hill, Houghton, Hudson, Keables, Kelsey, Landsborough, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Power of Placer, Robinson, Rubell, Sanford, Shanahan, Soward, Strain, Toland, Treacy, and Vosburg—38.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by inserting in Section 1, line 3, after the word "employés," and before the word "of," the words "of the State and"

Lost.

Mr. Cutter moved to refer Assembly Bill No. 653 to a select committee of one with instructions to amend by striking out of Section 1 lines 16, 17, 18, 19, and 20.

Mr. Coombs moved to amend the amendment as follows:

In line 13 strike out the words "one thousand," and insert the words "fifteen hundred"

Mr. Cutter was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 653—An Act to reduce the expenses of the government of the State—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

CUTTER, Committee.

Adopted.

Assembly Bill No. 653 ordered to printer, reengrossment, and third reading.

Senate Bill No. 614 (Substitute for Assembly Bill No. 713)—An Act making an appropriation for the erection of a ward building for the Southern California State Asylum for the Insane and Inebriates.

Read second time.

Mr. Guy moved that the House do now resolve itself into Committee of the Whole, with Mr. Leavitt in the chair, for the purpose of considering Assembly Bill No. 875 and Senate Bill No. 614.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Leavitt in the chair.

Assembly Bill No. 875 and Senate Bill No. 614 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Leavitt in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 875—An Act to create a commission for the purpose of examining, testing, and investigating voting machines, and reporting to the Legislature at its thirty-third session the result of such investigation, and making an appropriation for the expenses of such commission

Also: Senate Bill No. 614—An Act making an appropriation for the erection of a ward building for the Southern California State Asylum for the Insane and Inebriates.

And now report back to the House and recommend that Assembly Bill No. 875 do pass as amended, and Senate Bill No. 614 do pass.

LEAVITT, Chairman.

Report adopted.

Assembly Bill No. 875 ordered to printer, engrossment, and third reading.

Senate Bill No. 614 placed on file for third reading.

Assembly Bill No. 635 (Substitute for Assembly Bill No. 351)—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies.

Read third time.

Mr. Mead moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out between the words "order" and "or," and inserting in Section 1, line 8, the following: "or use the red button, yellow jacket, or peacock feather of the See Yup Society."

So ordered.

Mr. Soward moved to reconsider the vote by which a select committee of one was appointed.

So ordered.

The question being on the appointment of a select committee of one, on motion of Mr. Mead.

Motion lost.

The question being on the final passage of Assembly Bill No. 635.

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

AYES—Messrs. Aldridge, Anderson, Arnerich, Belshaw, Bettman, Burnett, Canavan, Cartwright, Chynoweth, Clarke, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Gately, Goff, Harris, Hudson, Jones, Keables, Kelly, Kelsey, Linden-

berger, Malcolm, Melick, Moultrie, McGrath, North of Alameda, Pohlmann, Power of Placer, Robinson, Rubell, Ryan, Sanford, Sims, Soward, Strain, Toland, Treacy, and Wright—45.

NOES—Messrs. Foreman, Hill, Houghton, Landsborough, Leavitt, Mead, and Vosburg—7.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Belshaw gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 635 was passed.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 158—An Act to authorize and require the State Board of Harbor Commissioners to commence and complete the construction of a certain portion of the seawall of 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. Aldridge, Anderson, Arnerich, Belshaw, Bettman, Burnett, Canavan, Cartwright, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Goff, Goodhue, Harris, Hill, Houghton, Hudson, Keables, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McGrath, North of Alameda, Pohlmann, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Toland, Treacy, Vosburg, and Wright—49.

NOES—Mr. Chynoweth—1.

Title read and approved.

Assembly Bill No. 522—An Act to prohibit the making of contracts or the entry of judgment thereon in any particular or specific kind of money coined or issued by the United States.

The question being, "Shall the bill be read third time?"

PREVIOUS QUESTION.

The previous question was demanded by Messrs. North of Alameda, Wright, and Cross.

The question being, "Shall the main question be now put?"

So ordered.

The question being, "Shall the bill be read third time?"

The ayes and noes were demanded by Messrs. Shanahan, Emmons, and Cartwright.

The roll was called, and the bill ordered read third time by the following vote:

AYES—Messrs. Aldridge, Belshaw, Burnett, Cartwright, Clarke, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Goodhue, Harris, Hill, Houghton, Hudson, Keables, Landsborough, Leavitt, Mahoney, Malcolm, McGrath, Rubell, Ryan, Sanford, Shanahan, Sims, Strain, Toland, Treacy, and Vosburg—33.

NOES—Messrs. Anderson, Canavan, Chynoweth, Cross, Cutter, Ennis, Fontana, Goff, Guy, Jones, Kelly, Kelsey, Lindenberger, Melick, North of Alameda, Pohlmann, Power of Placer, Robinson, Soward, and Wright—20.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Sims, North of Alameda, and Cross.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the final passage the of bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Aldridge, Belshaw, Burnett, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Goodhue, Houghton, Keables, Landsborough, Mahoney, Mead, McGrath, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—24.

NOES—Messrs Anderson, Arnerich, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Ennis, Fontana, Goff, Guy, Harris, Hill, Hudson, Jones, Kelly, Kelsey, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, Pohlmann, Power of Placer, Robinson, Sims, Soward, Strain, Vosburg, Wright, and Mr. Speaker—33.

NOTICE OF RECONSIDERATION.

Mr. Cartwright gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 522 was refused final passage.

MOTIONS.

Mr. Toland moved that his notice of reconsideration on Assembly Bill No. 620 be made the special order for next Monday, at two o'clock P. M.

So ordered.

Mr. Sims moved to substitute Assembly Bill No. 449 for Assembly Bill No. 490, and the same be now considered.

So ordered.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 449—An Act to amend an Act entitled "An Act to regulate the practice of dentistry."

Read third time.

Mr. Sims moved that a select committee of one be appointed by the Speaker to make the following amendments:

Amend Section 1, line 6, by inserting after the word "person," the words "not holding at the time of the passage of this Act a certificate regularly issued to him, under the provisions of the above-mentioned Act, entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1895

Also: Amend Section 2, line 8, by inserting, after the word "State," the words "from a list of at least ten dentists proposed by the California State Dental Association, and chosen by a majority of the members of said association present at its annual meeting held next preceding the occurrence of the vacancy to be filled. In the event of the disbandment or disorganization of the California State Dental Association, or of the failure of said California State Dental Association to propose a list of dentists as aforesaid, within thirty days after the expiration of the term of a member of the state board, or after a vacancy exists therein, the member of said board shall be appointed by the Governor."

Also: Amend Section 4, line 8, by striking out the word "practiced," and inserting the word "practices."

Also: Amend Section 6, line 21, by striking out the words "such other" and inserting the words "to study such further time."

Also: Amend Section 12, line 3, by striking out the word "article," and inserting in lieu thereof the word "Act"

Also: Amend Section 5 by striking out all after the word "dentistry," in line 13, down to and including the word "State," in line 17.

So ordered.

Mr. Sims was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 449—An Act to amend an Act entitled "An Act to regulate the practice of dentistry"—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.

SIMS, Committee

Report of select committee of one adopted.

Bill ordered to printer, engrossment, and third reading.

Assembly Bill No. 737—An Act to amend an Act entitled "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," approved March 26, 1895.

Read second time.

Mr. Sims moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out all of Section 4 of printed bill, and inserting in lieu thereof the following:

SEC. 4. It shall be the duty of the board of trustees of the exempt firemen's relief fund in every city, city and county, county, or town, organized under the provisions of this Act, annually to prepare and transmit to the Board of Supervisors or other governing authority of such city, city and county, county, or town, at least ten days prior to the time fixed by law levying the taxes for general municipal purposes upon the property subject to taxation in such city, city and county, county, or town, an estimate of the amount of money which shall be required for the next ensuing fiscal year by said board of trustees of the exempt firemen's relief fund, for the purposes herein set forth; and the Board of Supervisors or other governing authority of said city, city and county, county, or town having the authority to fix the rate of taxes to be levied, and to levy the taxes for general municipal purposes upon the property subject to taxation in said city, city and county, county, or town, shall determine the amount of money which shall be raised for the purposes of this Act, and shall include the same in the levy of taxes for such fiscal year for general municipal purposes upon the property subject to taxation in said city, city and county, county, or town; *provided, however*, that said sum shall not exceed twelve thousand dollars per year The money so raised shall constitute a special fund, to be called the exempt firemen's relief fund, and the same cannot be diverted from said fund by the Board of Supervisors or other governing authority.

So ordered.

Mr. Sims was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 737—An Act to amend an Act entitled "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," approved March 26, 1895—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.

SIMS, Committee

Report adopted.

Bill ordered to printer, engrossment, and third reading.

Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California, for the forty-ninth and fiftieth fiscal years.

Mr. Guy moved that Assembly Bill No. 937 be made special order for Monday morning, immediately after reading of the Journal, to go to the head of the file.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No 640—An Act authorizing the State Treasurer to furnish his office and the vault therein, and making an appropriation therefor.

Also: Senate Bill No. 48—An Act to provide for additions and improvements to the Deaf, Dumb, and Blind Asylum, and making an appropriation for the same.

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

GUY, Chairman.

Senate Bills Nos 640 and 48 placed on file for second reading.

INTRODUCTION OF JOINT RESOLUTION—(OUT OF ORDER).

By Mr. Cartwright:

ASSEMBLY JOINT RESOLUTION No. 32.

Relating to the proposed protective tariff on Zante currants.

WHEREAS, The so-called Zante currants come into direct competition with the raisin product of this State; and

WHEREAS, The present administration is pledged to a protective policy; and

WHEREAS, The Ways and Means Committee of the Fifty-fifth Congress proposed to reduce the tariff on Zante currants to one cent per pound: and

WHEREAS, The proposed tariff would provide an entirely inadequate protection to the great raisin industry of this State; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring therein, That our Senators and Representatives in Congress be and they are hereby instructed to do all in their power to secure a tariff of not less than two and one half cents per pound upon all Zante currants and all other raisins, dried grapes, and currants imported into this country.

On motion of Mr. Cartwright, the resolution was adopted.

MESSAGE FROM THE SENATE.

Mr. Keables moved to take up Senate messages.

So ordered.

SENATE CHAMBER, SACRAMENTO, March 6, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 5th day of March, passed Senate Bill No. 542—An Act to provide for the construction of a free wagon road from the Mono Lake basin to connect with a road called "Tioga Road," at or near the Tioga Mine.

F. J. BRANDON, Secretary.

Senate Bill No. 542—An Act to provide for the construction of a free wagon road from the Mono Lake basin to connect with a road called "Tioga Road," at or near the Tioga Mine.

Read first time, and ordered on Senate special file.

ADJOURNMENT.

At eleven o'clock P. M., on motion of Mr. North, of Alameda, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 8, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF JOURNAL.

The reading of the Journal of Saturday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Friday, March 5th, was approved as corrected.

SPECIAL ORDERS.

Assembly Bill No. 872—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses, in this State.

The amendment submitted on Friday, March 5th, together with the amendments to said amendment, were adopted, on motion of Mr. North, of Alameda.

Assembly Joint Resolution No. 24—Relative to a bill to increase the salary of letter-carriers.

Mr. Ennis moved that Assembly Bill No. 498 be substituted on the file in the place of Assembly Joint Resolution No. 24.

So ordered.

Assembly Bill No. 498—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children and to prevent and punish wrongs to children," approved March 29, 1878.

Mr. Price moved that Assembly Bill No. 498 be considered engrossed.

So ordered.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 2 lines 6 to 10, inclusive.

So ordered.

Mr. Shanahan was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 498—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children and to prevent and punish wrongs to children," approved March 29, 1878—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

SHANAHAN, Committee.

Report adopted.

Mr. Dibble moved that Assembly Bill No. 498 be laid over until to-morrow morning, to retain place on file.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 285—An Act for the employment of the homeless and the unemployed, and for the punishment of vagrants.

Also: Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California, for the forty-ninth and fiftieth fiscal years.

LEAVITT, Acting Chairman.

Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California, for the forty-ninth and fiftieth fiscal years.

Read third time.

The question being on the final passage of the bill.

The roll was called.

Pending the announcement of the result, Mr. Leavitt moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Anderson, Arnerich, Bettman, Boone, Breiling, Bridgford, Burnham, Caminetti, Canavan, Cross, Cutter, Damon, Dibble, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Guy, Harris, Henry, Houghton, Hudson, Jones, Keegan, Kelly, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, Wright, and Mr. Speaker.

The following members: Messrs. Austin, Belshaw, Burnett, Cartwright, Chynoweth, Dolan, Dryden, Goodhue, Keables, McCandlish, Moultrie, North of Alameda, Robinson, Ryan, and Valentine, were absent.

The Speaker directed the Sergeant-at-Arms to bring the absent members before the bar of the House.

Messrs. Dryden, North of Alameda, Dolan, and Chynoweth were brought before the bar of the House by the Sergeant-at-Arms, and excused by the House.

The Speaker then announced the result of the roll call, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Bettman, Boone, Breiling, Brigdford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Jones, Keegan, Kelly, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, Wright, and Mr. Speaker—68.

NOES—Mr. McClellan—1.

Title read and approved.

EXPLANATION OF VOTE.

Mr. Houghton explained his vote on Assembly Bill No. 937, known as the General Appropriation Bill, and asked that the same be printed in the Journal, as follows: "I vote aye, because it is necessary that the State government be maintained; but I have protested, and now protest, against many extravagant items contained in the bill."

MOTIONS.

Mr. Price moved to reconsider the vote by which the Journal of Friday, March 5th, was approved.

So ordered.

Mr. Price moved to correct the Journal as follows: On page 11, in line 3, change the word "transportation" to "transporting."

So ordered.

APPROVAL OF JOURNAL.

The Journal of March 5th was approved as corrected.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 872—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in the State.

The following amendments were offered by Mr. Soward:

Amend the amendment to Section 1, line 412, by inserting the following after the word "law": "and actual cost of transportation to and from, and expense while in the field, engaged in such survey."

Adopted.

Also: Amend by inserting in Section 1, page 6, line 170, after the words "one thousand dollars," the following: "*provided*, that but ten dollars shall be charged or collected for any sale of property upon the foreclosure of laborers' or mechanics' liens."

Adopted.

Assembly Bill No. 872 ordered to printer, reëngrossment, third reading, and to retain place on file.

Assembly Bill No. 44—An Act to establish and support a Department of Labor.

Mr. Sanford moved to substitute Assembly Bill No. 615 for Assembly Bill No. 44 on the file.

So ordered.

Assembly Bill No. 615—An Act to pay the claim of A. J. Bourne against the State of California, and making an appropriation therefor.

Read second time.

Mr. Sanford moved that the House do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 615.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 615 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 615—An Act to pay the claim of A. J. Bourne against the State of California, and making an appropriation therefor, and now report back, and recommend that the same do pass as amended.

COOMBS, Chairman.

Report adopted.

The following amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend title by striking out the word "Bourne," and inserting in lieu thereof the word "Bourn."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend Section 1 by striking out of line 1, printed bill, the word "ten," and inserting in lieu thereof the word "five"; also, by striking out of line 3 the word "Bourne," and inserting in lieu thereof the word "Bourn."

Adopted.

COMMITTEE AMENDMENT No. 3.

Amend Section 2 by striking out of line 2 of printed bill the word "Bourne," and inserting in lieu thereof the word "Bourn"; also, by striking out of line 3 the word "ten," and inserting in lieu thereof the word "five."

Adopted.

COMMITTEE AMENDMENT No. 4.

Amend Section 3 by striking out of line 2 of printed bill the word "Bourne," and inserting in lieu thereof the word "Bourn."

Adopted.

Assembly Bill No. 615 ordered to printer, reëngrossment, and third reading.

Assembly Joint Resolution No. 23—Relative to the protection of the farming industry.

Mr. Bridgford offered the following as a substitute, and moved its adoption:

ASSEMBLY JOINT RESOLUTION No. 23.

Relative to the protection of the farming industry.

WHEREAS, The farming industry of this country has been, is, and must ever be the chief basis of its wealth and prosperity; and

WHEREAS, Its chief products are regulated in price by export, and not import; and

WHEREAS, There is now pending before the Congress of the United States a measure which proposes to place an import duty of one and one half cents each upon all jute bags; and

WHEREAS, There are but few factories in this country engaged in manufacturing such articles; and

WHEREAS, Such a law would impose an additional heavy burden upon our chief industry, which is already staggering under a weight of depression; now, therefore, be it

Resolved, That our Representatives in Congress be requested and our Senators instructed to use their best efforts to defeat any law imposing a duty upon jute and jute bags;

Resolved, That the Secretary of State be instructed to transmit by mail a copy of these resolutions to each of our Senators and Representatives in Congress.

Adopted.

Assembly Bill No. 484—An Act entitled an Act to make the Police Court in counties, cities, and cities and counties, having a population of two hundred thousand inhabitants, a court of record.

Mr. Jones moved that he be allowed to withdraw Assembly Bill No. 484 and substitute therefore on file Assembly Bill No. 891.

So ordered.

Assembly Bill No. 891—An Act entitled an Act to define and regulate fraternal beneficiary orders.

Read second time.

The following amendment was submitted:

Amend Section 5, line 5, of the printed bill, by inserting after the word "by," the words "one third of the."

Adopted.

Assembly Bill No. 891 ordered to engrossment, printer, and third reading, to retain its place on file.

At twelve o'clock and fifteen minutes P. M., the Speaker called Mr. Valentine to the chair.

Assembly Bill No. 654—An Act to add a new title to Part IV of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as Title V, regulating publications by State officers and commissioners, common councils, boards of trustees, or supervisors in counties, cities, cities and counties, or towns.

Mr. North, of Alameda, moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend Section 1, line 29, by inserting the following after the word "circulation": "*provided, however*, that publication of such matters and notices may be made in a paper devoted exclusively to the dissemination of legal intelligence, whenever it is so directed by a court or judge designating such paper."

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. Aldridge, Anderson, Burnett, Burnham, Caminetti, Clarke, Damon, Dryden, Elliott, Ennis, Fontana, Foreman, Goff, Goodhue, Harris, Houghton, Hudson, Jones, Keables, Kenyon, Landsborough, Lindenberger, Mead, McClellan, North of Yolo, Power of Placer, Robinson, Rubell, Ryan, Sanford, Shanahan, Stansell, Strain, Toland, and Vosburg—35.

NOES—Messrs. Allen, Arnerich, Boone, Canavan, Chynoweth, Cross, Dibble, Dolan, Emmons, Gately, Godfrey, Henry, Keegan, Kelly, Kelsey, Lacy, Leavitt, Mahoney, Melick, Mulcrevy, McGrath, North of Alameda, Treacy, Valentine, Waymire, and Wright—26.

NOTICE OF RECONSIDERATION.

Mr. Melick gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 654 was refused passage.

RECESS.

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

REASSEMBLED.

The Assembly reassembled at two o'clock and fifteen minutes P. M.

Speaker Coombs in the chair.

Quorum present.

MEMORIAL.

The Speaker announced the receipt of a memorial from Horace W. Philbrook, relative to removal from office of W. H. Beatty, T. B. McFarland, W. C. Van Fleet, Ralph C. Harrison, C. H. Garoutte, Jackson Temple, and F. W. Henshaw, Justices of the Supreme Court, for misconduct in office.

Referred to Committee on Judiciary.

MOTION TO RECONSIDER.

Mr. Toland moved to reconsider the vote by which Assembly Bill No. 620 was refused final passage.

The question being on the motion of Mr. Toland to reconsider.

The ayes and noes were demanded by Messrs. Cutter, Shanahan, and Jones.

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

AYES—Messrs. Aldridge, Allen, Anderson, Boone, Caminetti, Cartwright, Cross, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Houghton, Hudson, Keables, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Soward, Strain, Toland, Treacy, Valentine, Waymire, and Wright—46.

NOES—Messrs. Arnerich, Bettman, Canavan, Chynoweth, Cutter, Dibble, Ennis, Fontana, Henry, Jones, Kelly, Kelsey, Kenyon, North of Yolo, and Mr. Speaker—15.

Assembly Bill No. 620—An Act to amend Sections 6 and 25 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 as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners, and adding three new sections thereto, to be numbered 28, 29, and 30, respectively.

Ordered on file under the head of unfinished business.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 524—An Act to provide for the fencing of the farm property, the further equipment of the farm, and for the laying out and care of the grounds at the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Also: Assembly Bill No. 789—An Act to amend Section 309 of the Civil Code of California, relating to the liability of directors of corporations, and providing for the enforcement of the same.

LEAVITT, Acting Chairman.

MOTIONS.

Mr. Price moved that the bills on the special-order file for this time be made the special order for to-morrow morning, immediately after reading of the Journal.

Mr. Melick moved to amend by making the time seven o'clock and thirty minutes P. M.

Amendment adopted.

Motion, as amended, adopted.

SPECIAL ORDERS.

Senate Bill No. 392—An Act to amend Section 499 of the Civil Code, relating to street railways operated under different managements.

Ordered to the head of the Senate special file.

SENATE SPECIAL FILE.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Passed on file.

Senate Bill No. 113—An Act to amend Section 685 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.

Senate Bill No. 77—An Act authorizing certain corporations to loan and invest money, and regulating the same.

Mr. Mead moved that Senate Bill No. 77 be laid over until to-morrow.

So ordered.

Senate Bill No. 332—An Act to amend Section 1881 of the Code of

Civil Procedure, to provide that persons in certain relations to parties are prohibited from testifying.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Boone, Breiling, Bridgford, Burnett, Camnetti, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble, Dolan, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Henry, Hudson, Jones, Keables, Keegan, Kelsey, Kenyon, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Price, Ryan, Sanford, Shanahan, Strain, Toland, and Waymire—48.

NOES—Messrs. Dryden, Gately, Rubell, Soward, and Treacy—5.

Title read and approved.

At two o'clock and fifty-five minutes P. M., the Speaker called Mr. North, of Alameda, to the chair.

Senate Bill No. 198—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 third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Bettman, Boone, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Goff, Goodhue, Harris, Henry, Hudson, Jones, Keables, Keegan, Kelsey, Kenyon, Landsborough, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Soward, Strain, Vosburg, and Waymire—51.

NOES—Messrs. Dolan, Dryden, Godfrey, Houghton, Kelly, Lacy, Mahoney, McGrath, Power of San Francisco, Toland, and Treacy—11.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Lindenberger gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 198 was finally passed.

At three o'clock and forty minutes P. M., the Speaker resumed the chair.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 142—An Act to amend Section 688 of the Code of Civil Procedure of the State of California, relative to executions.

Read third time.

Mr. Dibble moved to amend Senate Bill No. 142 by striking out the enacting clause.

Adopted.

At three o'clock and forty-five minutes P. M., the Speaker called Mr. North, of Alameda, to the chair.

Senate Bill No. 261—An Act to provide for the purchase of a portrait of ex-Governor Henry H. Markham, by the State Board of Examiners, and to appropriate money therefor.

Mr. Cutter moved to substitute Senate Bill No. 480 for Senate Bill No. 261 on the file, and the latter bill go to the unfinished-business file.

So ordered.

Senate Bill No. 480—An Act to amend Section 465 of the Civil Code, relating to the powers of railroads.

Read third time.

Mr. Shanahan moved that Senate Bill No. 480 be passed on the file temporarily.

Motion lost.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, Mr. Cutter moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Bettman, Boone, Breiling, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Emmons, Ennis, Gately, Godfrey, Guy, Harris, Henry, Houghton, and Hudson.

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

So ordered.

The Speaker then announced the result of the roll call, and the bill passed by the following vote:

AYES—Messrs. Anderson, Arnerich, Bettman, Boone, Breiling, Burnett, Burnham, Caminetti, Chynoweth, Cross, Cutter, Damon, Dibble, Emmons, Ennis, Foreman, Goff, Goodhue, Guy, Harris, Henry, Hudson, Jones, Keables, Kelly, Kelsey, Kenyon, Landsborough, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Ryan, Shanahan, Sims, Soward, Strain, Treacy, Vosburg, Waymire, Wright, and Mr. Speaker—48.

NOES—Messrs. Aldridge, Allen, Canavan, Cartwright, Dolan, Dryden, Gately, Godfrey, Houghton, Keegan, Lacy, Mahoney, McClellan, McGrath, Price, Rubell, Sanford, and Toland—18.

NOTICES OF RECONSIDERATION.

Mr. Shanahan gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 480 was passed.

Mr. Power, of San Francisco, gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 480 was passed.

MOTION.

Mr. Lindenberger moved that the rules be suspended, and the House do now take up Senate Bill No. 382.

So ordered.

SECOND READING OF BILL—(OUT OF ORDER).

Senate Bill No. 382—An Act to empower the legislative body of an incorporated city or town within the State of California to levy taxes and expend the same in eradicating fruit-tree pests in cities and towns having within their corporate limits two thousand acres or more of fruit trees.

Read second time, ordered on Senate special file, and to third reading.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 422—An Act to amend Sections 1895, 1897, 1898, 1900, 1912, 1913, 1918, 1919, 1924, 1936, 1945, 1962, 1965, 1966, 1970, 1974, 1976, 1981, 1982, 1984, 1986, 1990, 2006, 2007, 2018, 2022, 2076, 2084, 2094, 2099, and 2105 of the Political Code, and to repeal Section 2101 thereof, and to add two new sections thereto, to be known as Sections 2008, 2009, all relating to the National Guard of California.

Read second time, and ordered to third reading.

Assembly Bill No. 932—An Act making an appropriation to pay the claim of Charles W. Metcalf against the State of California.

Read second time.

Senate Bill No. 38—An Act appropriating the sum of $5,000 for repairs and improvements in the State Normal School buildings at Los Angeles, California.

Read second time.

Mr. Toland moved that the House do now resolve itself into Committee of the Whole, with Mr. North, of Alameda, in the chair, for the purpose of considering Assembly Bill No. 932 and Senate Bill No. 38.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. North, of Alameda, in the chair.

Senate Bill No. 932 and Assembly Bill No. 38 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. North. of Alameda, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 932—An Act making an appropriation to pay the claim of Charles W. Metcalf against the State of California.

Also: Senate Bill No 38—An Act appropriating the sum of $5,000 for repairs and improvements in the State Normal School buildings at Los Angeles, California.

And now report back, and recommend that Assembly Bill No. 932 do pass as amended, and Senate Bill No. 38 do pass without amendment.

H. H. NORTH, Chairman.

Report adopted.

Assembly Bill No. 932—An Act making an appropriation to pay the claim of Charles W. Metcalf against the State of California.

The following amendments were submitted:

Amend Section 1 of printed bill by striking out of line 1 all after the word "of," and up to the word "is," of line 2, and inserting in lieu thereof the words "two hundred and seventy dollars and thirty cents"

Adopted.

Also: Amend Section 2 of printed bill by striking out of line 3 all after the word "of," up to and including the figures "($367 80)," in line 4, and inserting in lieu thereof the words "two hundred and seventy dollars and thirty cents"

Adopted.

Also: Amend Section 3 of printed bill by striking out of line 4 the words "seven hundred and sixty-two," and inserting in lieu thereof the words "six hundred and seventy-two"

Adopted.

Assembly Bill No. 932 ordered to printer, engrossment, and third reading.

Senate Bill No. 38—An Act appropriating the sum of $5,000 for repairs and improvements in the State Normal School buildings at Los Angeles, California.

Ordered on file for third reading.

SECOND READING OF BILL—(OUT OF ORDER).

Assembly Bill No. 591—An Act to amend Section 3472 of the Political Code of the State of California, relating to the formation of swamp land or reclamation districts.

Read second time, and ordered engrossed and to third reading.

MOTION.

Mr. Dibble moved that Senate Bill No. 684 be substituted on the file for Assembly Bill No. 882.

So ordered.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 684—An Act to assist the Woman's Relief Corps Home Association to provide for ex-army nurses, and the worthy destitute widows, wives, mothers, and destitute maiden daughters or sisters of veterans who served honorably in the war for the Union, and making an appropriation therefor.

Read second time.

Assembly Bill No. 343—An Act to provide for the protection and preservation of public highways from damage by storm-waters and floods, and to authorize the expenditure of public moneys for the purposes thereof.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 723—An Act to amend Section 541 of the Civil Code, relating to telegraphic corporations.

Read second time, and ordered engrossed and to third reading.

Senate Bill No. 494—An Act to amend Sections 354, 1487, 1488, 1489, 1490, 1491, 1492, 1497, 1501, 1503, 1505, and 1507, and to repeal Sections 1504 and 1506, of the Political Code, relating to State Normal 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. Aldridge, Allen, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Gately, Goff, Guy, Harris, Houghton, Hudson, Keables, Keegan, Kelsey, Kenyon, Landsborough, Leavitt, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Santord, Shanahan, Sims, Soward, Toland, Treacy, Vosburg, Waymire, Wright, and Mr. Speaker—45.

NOES—Messrs. Arnerich, Henry, Mahoney, Malcolm, and Power of Placer—5.

Title read and approved.

Assembly Bill No. 922—An Act regulating the importation of diseased cattle into the State of California, providing for the inspection of cattle now in the State, and for the inspection of dairy products, and providing for the appointment of a quarantine officer and inspectors, and the locating of quarantine stations for such purposes.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 943—An Act to repeal an Act entitled "An Act regulating the sale of mineral lands belonging to the State," approved March 28, 1874, and the Acts amendatory thereof, and to provide for the sale of mineral lands under United States laws. (Committee Substitute for Assembly Bill No. 719.)

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Allen, Anderson, Boone, Breiling, Burnett, Burnham, Canavan, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Goff, Goodhue, Guy, Harris, Hudson, Jones, Keables, Kelly, Kenyon, Lacy, Landsborough, Mahoney, Malcolm, Melick, Mulcrevy, McGrath, Pohlmann, Power of Placer, Robinson, Ryan, Shanahan, Sims, Soward, Strain, Vosburg, and Waymire—48.

NOES—Messrs. Aldridge, Bridgford, Caminetti, Godfrey, Houghton, Keegan, Kelsey, Lindenberger, Mead, McClellan, North of Alameda, North of Yolo, Power of San Francisco, Rubell, Sanford, Toland, and Treacy—17.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Boone gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 943 was passed.

SPECIAL URGENCY FILE—(RESUMED).

Mr. Dibble moved that the Assembly resolve itself into Committee of the Whole, with Mr. North, of Alameda, in the chair, for the purpose of considering Senate Bill No. 684.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. North, of Alameda, in the chair.

Senate Bill No. 684 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. North, of Alameda, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 684—An Act to assist the Woman's Relief Corps Home Association, to provide for ex-army nurses, and the worthy destitute widows, wives, mothers, and destitute maiden daughters or sisters of veterans who served honorably in the war for the Union, and making an appropriation therefor—and now report back, and recommend that the same do pass.

H. H. NORTH, Chairman.

Adopted.

Senate Bill No. 684 ordered on file for third reading.

Senate Bill No. 102—An Act to provide for the acquisition or condemnation of water by municipalities, and for the sale of an excess of water when owned by a municipality. (Substitute for Assembly Bill No. 895.)

Read second time, and ordered to third reading.

Assembly Bill No. 964—An Act to amend Section 3930 of the Political Code, relating to permanent boundary line between the counties of Amador and El Dorado.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 402—An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Bettman, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Cutler, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hudson, Jones, Keables, Kelly, Kenyon, Landsborough, Leavitt, Mahoney, Mead, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Shanahan, Sims, Soward, Strain, Vosburg, and Waymire—54.

NOES—None.

Title read and approved.

Assembly Bill No. 318—An Act making an appropriation to pay the claim of John F. Kidder, for traveling expenses, from August 15, 1893, to December 21, 1895.

Read second time.

Assembly Bill No. 612—An Act to provide for the construction of a free wagon road from the Mono Lake basin, to connect with a road called "Tioga Road," at or near the Tioga Mine.

Mr. Keables moved that he be allowed to withdraw Assembly Bill No. 612 and substitute therefor on file Senate Bill No. 542.

So ordered.

Senate Bill No. 542—An Act to provide for the construction of a free wagon road from the Mono Lake basin, to connect with a road called "Tioga Road," at or near the Tioga Mine.

Read second time.

Mr. Guy moved that the House do now resolve itself into Committee of the Whole, with Mr. North, of Alameda, in the chair, for the purpose of considering Assembly Bill No. 318 and Senate Bill No. 542.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. North, of Alameda, in the chair.

Assembly Bill No. 318 and Senate Bill No. 542 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. North, of Alameda, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 318—An Act making an appropriation to pay the claim of John F. Kidder, for traveling expenses, from August 15, 1893, to December 21, 1896, inclusive.

Also: Senate Bill No. 542—An Act to provide for the construction of a free wagon road from the Mono Lake basin to connect with a road called "Tioga Road," at or near the Tioga Mine

And now report the same back, and recommend that Assembly Bill No. 318 do pass as amended, and that Senate Bill No. 542 do pass without amendment.

H. H. NORTH, Chairman.

Adopted.

Senate Bill No. 542 (Substitute for Assembly Bill No. 612)—An Act to provide for the construction of a free wagon road from the Mono Lake basin to connect with a road called "Tioga Road," at or near the Tioga Mine.

Ordered on file for third reading,

Assembly Bill No. 318—An Act making an appropriation to pay the claim of John F. Kidder, for traveling expenses, from August 15, 1893, to December 21, 1896, inclusive.

The following amendment was submitted:

Amend Section 1, lines 1 and 2 of printed bill, by striking out the words "seven hundred and twenty-four dollars and thirty-five cents," and inserting in lieu thereof the words "four hundred and eighty dollars."

Adopted.

Assembly Bill No 318 ordered to engrossment, printer, and third reading.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly reengrossed: Assembly Bill No. 504—An Act entitled an Act to amend Section 487 of the Penal Code of the State of California, making chicken-stealing grand larceny.

LEAVITT, Acting Chairman.

MOTION.

MR. Dibble moved that bills on special file, to be considered at three o'clock and thirty minutes P. M., which have been read the second time, remain upon the file in their present positions, but that the business on the file be taken up to-morrow where the House leaves off to-day; that the order for the consideration of the file be the same from day to day.

Adopted.

REPORT OF COMMITTEE ON CONFERENCE.

MR. SPEAKER: Your committee on conference, appointed to meet a like committee of the Senate to consider Assembly Bill No 372, have had the same under consideration, and report back to the Assembly that they have been unable to agree, and recommend that a committee on free conference be appointed for the further consideration of the said bill.

DIBBLE.
SHANAHAN.
NORTH.

Report adopted.

APPOINTMENT OF FREE CONFERENCE COMMITTEE.

The Speaker appointed Messrs. Wright, Emmons, and Sims as a free conference committee, to consider Assembly Bill No. 372.

MOTION.

Mr. Waymire moved to suspend the rules, and that he be allowed to make a report of a standing committee out of order.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 490—An Act to amend Sections 3629, 3633, 3651, 3653, 3658, 3678, 3681, 3738, 3746, 3795, 3820, 3821, 3825, 3826, 3881 of the Political Code, relating to the general revenue of the State, and to property liable to assessment and taxation for the purposes of revenue, and the duties of taxpayers for the purpose of assessment of property, and in the collection of taxes; and to add to the Political Code a new section, to be known as Section 3683, relating to the making of abstracts by the Registrar of Land Office, and also a new section, to be known as Section 3831, relating to taxes on mortgage interest on personal property, and providing the time of the payment of the same, and the means of forced collection of the same.

Also: Senate Bill No 491—An Act to amend Sections 3547, 3549, 3553, 3554, and 3555 of the Political Code, and to add a new section thereto, to be known as Section 3557 of the Political Code, relating to State lands and the foreclosure of delinquent purchasers thereof.

Have had the same under consideration, and respectfully report the same back without recommendation.

WAYMIRE, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1897.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No 164—An Act to amend Section 634 of the Political Code, in relation to insurance,

approved April, 1878—have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

CUTTER, Chairman.

MOTION.

Mr. Mulcrevy moved that the rules be suspended, and that he be allowed to introduce a resolution out of order.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Mulcrevy:

WHEREAS, The Controller of State has, without order of the Assembly, stricken from the payroll the name of Harry M. Kelly, the Clerk of the San Francisco Delegation; therefore, be it

Resolved, That the Committee on Attachés and Employés be and they are hereby instructed to replace the name of Harry M. Kelly, Clerk of the San Francisco Delegation, upon the payroll of the Assembly.

Referred to Committee on Attachés and Employés.

MOTIONS.

Mr. Shanahan moved that Assembly Bill No. 952 (No. 458 on file) take the place after No. 437 on file, and that its place (No. 437 on file) take the place of No. 458 on file.

So ordered.

Mr. Cutter moved that the House do now suspend the present order of business; also, that the constitutional provision be suspended, and that he be allowed to introduce two bills out of order.

The question being, "Shall the constitutional provision be suspended?"

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Gately, Godfrey, Goff, Goodhue, Harris, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, Moultrie, Mulcrevy, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Toland, Treacy, Valentine, Vosburg, and Waymire—66.

NOES—None.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Cutter: Assembly Bill No. 982—An Act to regulate the expenditure of appropriations made by the Legislature of the State of California at its thirty-second session, commencing January 4, 1897.

Read first time, and placed on file for second reading.

Also: Assembly Bill No. 983—An Act in relation to elections held under the authority of Section 8 of Article XI of the Constitution, to elect boards of freeholders, or to vote upon proposed charters or upon amendments to existing charters.

Read first time, and placed on file for second reading.

Mr. Dibble moved that Assembly Bills Nos. 982 and 983 be made the special order for to-morrow evening at seven o'clock and thirty minutes, and to be taken up immediately preceding the regular order.

So ordered.

RECESS.

At five o'clock and thirty minutes P. M., on motion of Mr. Dennery, the House took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

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

REPORT OF JOINT CONFERENCE COMMITTEE.

MR. SPEAKER: Your conference committee, appointed under Senate Concurrent Resolution No. 10, recommend the adoption of a concurrent resolution fixing the time of adjournment of the Legislature for the 16th instant. Also, a concurrent resolution dispensing with Joint Rules XL, XLVIII, and XLIX.

FLINT.
SIMPSON.
LA RUE.
COOMBS.
A. W. NORTH.
BURNETT.

Mr. Pohlmann moved that the report of the joint conference committee be laid on the table.

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

AYES—Messrs Aldridge, Allen, Arnerich, Boone, Bridgford, Caminetti, Canavan, Cartwright, Cross, Cutter, Damon, Dibble, Dolan, Emmons, Gately, Godfrey, Goff, Goodhue, Henry, Hill, Jones, Kelsey, Kenyon, Landsborough, Mahoney, Malcolm, Mulcrevy, McGrath, Pohlmann, Power of Placer, Power of San Francisco, Shanahan, Soward, Toland, Treacy, and Vosburg—36

NOES—Messrs. Anderson, Belshaw, Bettman, Burnett, Dryden, Foreman, Harris, Houghton, Hudson, Keables, Keegan, Leavitt, Lindenberger, Mead, Melick, McCandlish, McClellan, North of Alameda, North of Yolo, Sanford, Strain, Waymire, and Mr. Speaker—23.

MOTION.

Mr. Shanahan moved to reconsider the vote by which Assembly Bill No. 320 was refused passage.

CALL OF THE HOUSE.

Pending consideration, Mr. Canavan moved a call of the House.

So ordered.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Canavan, Cartwright, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Emmons, Gately, Godfrey, Goodhue, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Kenyon, Landsborough, Mahoney, Malcolm, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Robinson, Rubell, Sanford, Soward, Toland, Treacy, Vosburg, and Waymire.

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

So ordered.

The question being on the adoption of the motion of Mr. Shanahan to reconsider the vote by which Assembly Bill No. 320 was refused final passage.

The ayes and noes were demanded by Messrs. Shanahan, Cutter, and Emmons.

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

AYES—Messrs Aldridge, Allen, Anderson, Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Clarke, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Foreman, Gately, Godfrey, Goodhue, Houghton, Hudson, Keables, Lands-

borough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Sanford, Shanahan, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—49.

NOES—Messrs. Arnerich, Bettman, Cross, Cutter, Damon, Dennery, Ennis, Harris, Henry, Hill, Jones, Keegan, Kelly, Kenyon, North of Alameda, Pohlmann, Price, Soward, and Mr. Speaker—19.

Assembly Bill No. 320—An Act making an appropriation to pay the expenses of experts and the costs and expenses of litigation of the suit now pending in the Circuit Court of the United States for the Northern District of California, wherein the Southern Pacific Company is plaintiff and the Board of Railroad Commissioners is defendant.

The question being on the final passage of the bill.

The roll was called.

Pending the announcement of the result, Mr. Shanahan moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll call was proceeded with, in the midst of which Mr. Belshaw moved that further proceedings under call of the House be dispensed with.

So ordered.

The Speaker then announced the result of the roll call, and the bill was passed by the following vote:

AYES—Messrs. Aldridge, Allen, Belshaw, Boone, Bridgford, Burnett, Caminetti, Canavan, Cartwright, Clarke, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Goodhue, Houghton, Hudson, Keables, Lacy, Landsborough, Lindenberger, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McGrath, Power of Placer, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Strain, Toland, Treacy, Vosburg, and Waymire—42.

NOES—Messrs. Anderson, Arnerich, Bettman, Burnham, Cross, Cutter, Damon, Dennery, Ennis, Fontana, Goff, Harris, Henry, Hill, Jones, Keegan, Kelly, Kelsey, Kenyon, Leavitt, Malcolm, Melick, North of Alameda, Pohlmann, Price, Robinson, Soward, Valentine, and Mr. Speaker—29.

Title read and approved.

MOTION.

Mr. Shanahan moved that the vote by which Senate Bill No. 14 was finally passed be now reconsidered.

PREVIOUS QUESTION.

Mr. Cutter moved the previous question, seconded by Messrs. Bettman and Cross.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the motion of Mr. Shanahan to reconsider.

The same was lost.

MOTIONS.

Mr. Shanahan moved to reconsider the vote by which Senate Bill No. 8 was refused final passage.

Motion lost.

Mr. Cutter moved that the Sergeant-at-Arms be directed to station a deputy at each door of the Assembly Chamber, with instructions not to permit any member of the Assembly to pass out during this evening's session, unless he first obtain leave of the Speaker.

Mr. North, of Alameda, moved to lay the motion of Mr. Cutter on the table.

Motion lost.

The question being on the adoption of the motion of Mr. Cutter.

Motion carried.

Mr. Cartwright moved to reconsider the vote whereby Assembly Bill No. 522 was refused final passage.

PREVIOUS QUESTION.

The previous question was moved by Mr. Leavitt, seconded by Messrs. North, of Alameda, and Cross.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the motion to reconsider.

The same was adopted.

Assembly Bill No. 522—An Act to prohibit the making of contracts or the entry of judgment thereon in any particular or specific kind of money coined or issued by the United States.

The question being on the final passage of the bill.

The roll was called.

Pending the announcement of the result, Mr. Shanahan moved a call of the House.

Motion lost.

The Speaker then announced the result of the roll call, and the bill was refused final passage by the following vote:

AYES—Messrs Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Goodhue, Houghton, Keables, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McGrath, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—34.

NOES—Messrs. Anderson, Arnerich, Bettman, Burnham, Canavan, Clarke, Cross, Cutter, Damon, Dennery, Ennis, Fontana, Goff, Harris, Henry, Hill, Hudson, Jones, Kelly, Kelsey, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Soward, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—38.

MOTIONS.

Mr. Emmons moved to reconsider the vote whereby Assembly Concurrent Resolution No. 7 was lost.

Mr. Emmons moved that the consideration of the motion to reconsider be made a special order for to-morrow.

So ordered.

SPECIAL URGENCY FILE—(RESUMED).

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 40.

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.

Resolved, That the Legislature of the State of California, at its regular thirty-second session, commencing on the fourth day of January, Anno Domini eighteen hundred and ninety-seven, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby propose that sections one, two, and ten of article thirteen of the Constitution of the State of California be amended to read as follows:

SECTION 1. The Legislature shall provide for the levying of taxes and the raising of revenue in such manner as it shall deem just, *provided*, that in case so determined by a majority of the electors of any county or other political subdivision of the State voting thereon, taxes for local purposes may be imposed as the electors of such county or other political subdivision may decide. And it shall be the duty of the Legislature

to provide for submitting to such electors the question of regulating their local taxation, under such regulations as it may prescribe. All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax; *provided*, that land shall never be made exempt from taxation except that owned by the United States, this State, or by any county or municipal corporation within this State.

SEC 2 In all cases where both land and improvements thereon are made taxable, the land and improvements thereon shall be separately assessed. Land of the same quality or similarly situated, whether used or unused, shall be assessed at the same value.

SEC. 10. All property subject to taxation, 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 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 railroads are located, in proportion to the number of miles of railway laid in such counties, cities and counties, cities, towns, townships, and districts.

The question being on the adoption of Assembly Constitutional Amendment No. 40.

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

AYES—Messrs. Aldridge, Allen, Belshaw, Boone, Burnett, Burnham, Caminetti, Canavan, Cartwright, Clarke, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goodhue, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Kenyon, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Strain, Toland, Treacy, Valentine, and Waymire—54.

NOES—Messrs. Anderson, Bettman, Bridgford, Cross, Dennery, Harris, Leavitt, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Robinson, Soward, Vosburg, Wright, and Mr. Speaker—16.

MOTION TO RECONSIDER.

Mr. Belshaw moved that the vote by which Assembly Bill No. 635 was passed be now reconsidered.

Mr. Belshaw also moved that his motion to reconsider be made the special order for to-morrow.

So ordered.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Constitutional Amendment No. 32—Proposed amendment to Article I, relating to declaration of rights.

Passed on file.

Assembly Constitutional Amendment No. 1—Proposed amendment to Section 1 of Article XVIII of the Constitution, relative to amendments.

The question being on the adoption of Assembly Constitutional Amendment No. 1.

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

AYES—Messrs Aldridge, Allen, Anderson, Boone, Burnett, Caminetti, Cartwright, Clarke, Cutter, Dennery, Dolan, Dryden, Elliott, Foreman, Gately, Godfrey, Goodhue, Hill, Houghton, Keables, Keegan, Kelly, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McGrath, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Toland, Treacy, and Waymire—38.

NOES—Messrs. Arnerich, Belshaw, Bettman, Bridgford, Burnham, Canavan, Cross, Damon, Dibble, Emmons, Ennis, Fontana, Harris, Henry, Hudson, Jones, Kelsey, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Soward, Strain, Valentine, Vosburg, and Mr. Speaker—32.

NOTICE OF RECONSIDERATION.

Mr. Emmons gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 1 was refused adoption.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Constitutional Amendment No. 2—Proposed amendment to Section 1, Article IV, of the Constitution, relative to legislative power.

Mr. Dryden moved that the rules be suspended, and he be allowed to substitute Assembly Constitutional Amendment No. 26 in the place of Assembly Constitutional Amendment No. 2, the latter to take the place of Assembly Constitutional Amendment No. 26 on the file, and that Assembly Constitutional Amendment No. 26 be immediately considered.

So ordered.

Assembly Constitutional Amendment No. 26—Proposed amendment to Section 1, Article II, of the Constitution, relative to the right of suffrage.

PREVIOUS QUESTION.

The previous question being, "Shall the main question be now put?"

So ordered.

The question being on the adoption of Assembly Constitutional Amendment No. 26.

The roll was called.

Pending the announcement of the result, Mr. Wright moved a call of the House.

Motion lost.

The Speaker then announced the result of the roll call, and Assembly Constitutional Amendment No. 26 was refused adoption by the following vote:

AYES—Messrs Aldridge, Bridgford, Burnett, Caminetti, Canavan, Cartwright, Clarke, Damon, Dennery, Dryden, Elliott, Foreman, Gately, Godfrey, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Keables, Keegan, Kelly, Kelsey, Landsborough, Lindenberger, Malcolm, Melick, Moultrie, Mulcrevy, McCandlish, McClellan, Pohlmann, Power of Placer, Robinson, Rubell, Shanahan, Soward, Strain, Treacy, Valentine, Waymire, and Wright—43.

NOES—Messrs. Allen, Belshaw, Bettman, Burnham, Cross, Cutter, Dibble, Dolan, Emmons, Ennis, Fontana, Henry, Kenyon, Lacy, Leavitt, Mahoney, Mead, McGrath, North of Alameda, North of Yolo, Power of San Francisco, Price, Ryan, Sanford, Toland, Vosburg, and Mr. Speaker—27.

NOTICE OF RECONSIDERATION.

Mr. Emmons gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 26 was lost.

EXPLANATION OF VOTES.

By Mr. North, of Alameda:

This amendment received my vote two years ago. It has been defeated by the people In a few years more I should be willing to submit it again, but I believe it is now too soon to do so The Constitution of New York State requires twenty years to go by before a resubmission That time seems too long, but four or six years is more nearly correct In the meanwhile let the advocates of the cause educate the women, who really were the cause of its recent defeat.

By Mr. North, of Yolo:

By a large vote the people of California have declared against woman's suffrage I am merely representing the people, hence my vote. There will come a time to resubmit the question, but that time is not the present.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Constitutional Amendment No. 3—Proposed amendment to Section 11, Article XI, of the Constitution, relative to elections.

Passed on file.

At ten o'clock and thirty-five minutes P. M., the Speaker called Mr. Belshaw to the chair.

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to Section 8 of Article I of the Constitution of the State of California, relative to grand juries.

The following amendments were submitted:

Amend by striking out of line 9 the words "the Superior Court thereof," and inserting the words "it shall be deemed."

Adopted.

By Mr. Valentine:

Amend by adding after the word "advisable" the following: "*provided*, there shall be but one grand jury drawn in any county during any one year."

Adopted.

Assembly Constitutional Amendment No. 4 ordered to printer.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 44.

Proposed amendment to Section 25 of Article IV of the Constitution, with reference to special and local legislation.

The Legislature of the State of California, at its thirty-second session, two thirds of the members elect to the Senate and to the Assembly voting therefor, proposes to the qualified electors of the State the following amendment to the Constitution:

That section twenty-five of article four of the Constitution be amended to read as follows:

Section 25. The Legislature shall not pass local or special laws in any of the following enumerated cases, that is to say:

First—Regulating the jurisdiction and duties of Justices of the Peace, Police Judges, and of Constables.

Second—For the punishment of crimes and misdemeanors.

Third—Regulating the practice of courts of justice.

Fourth—Providing for changing the venue in civil or criminal actions.

Fifth—Granting divorces

Sixth—Changing the names of persons or places.

Seventh—Authorizing the laying out, opening, altering, maintaining, or vacating roads, highways, streets, alleys, town plats, parks, cemeteries, graveyards, or public grounds not owned by the State

Eighth—Summoning and impaneling grand and petit juries, and providing for their compensation.

Ninth—For the assessment or collection of taxes

Tenth—Providing for conducting elections or designating the places of voting, except in the organization of new counties.

Eleventh—Affecting estates of deceased persons, minors, or other persons under legal disabilities

Twelfth—Extending the time for the collection of taxes.

Thirteenth—Giving effect to invalid deeds, wills, or other instruments.

Fourteenth—Refunding money paid into the state treasury.

Fifteenth—Releasing or extinguishing, in whole or in part, the indebtedness, liability, or obligation of any corporation or person to this State or to any municipal corporation therein

Sixteenth—Declaring any person of age, or authorizing any minor to sell, lease, or incumber his or her property

Seventeenth—Legalizing, except as against the State, the unauthorized or invalid act of any officer.

Eighteenth—Granting to any corporation, association, or individual any special or exclusive right, privilege, or immunity

Nineteenth—Exempting property from taxation.

Twentieth—Changing county seats.

Twenty-first—Restoring to citizenship persons convicted of infamous crimes

Twenty-second—Regulating the rate of interest on money.

Twenty-third—Authorizing the creation, extension, or impairing of liens.

Twenty-fourth—Chartering or licensing ferries, bridges, or roads

Twenty-fifth—Remitting fines, penalties, or forfeitures

Twenty-sixth—Providing for the management of common schools.

Twenty-seventh—Affecting the fees or salary of any officer.

Twenty-eighth—Changing the law of descent or succession

Twenty-ninth—Authorizing the adoption or legitimation of children.

Thirtieth—For limitation of civil or criminal actions.

Thirty-first—Amending or altering charters of cities, or cities and counties, formed and adopted under the provisions of article eleven of this Constitution.

In all other cases special and local laws may be passed under the restrictions in this section provided. No general law shall be passed for special or local purposes The Legislature may, by a concurrence of two thirds of all the members elected to each House, respectively, the vote to be taken by yeas and nays, and entered upon the Journals, pass a special or local law, or make an exception or exceptions to the operation of a general law. Where exception is made to the operation of a general law, the Governor may disapprove of the exception, while approving the general law; and such disapproval, and his disapproval of any special or local law, passed in pursuance of this section, shall be final action thereon.

The question being on the adoption of Assembly Constitutional Amendment No. 44.

The roll was called, and Assembly Constitutional Amendment No. 44 adopted by the following vote:

AYES—Messrs. Aldridge, Allen, Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Clarke, Cross, Cutter, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Goodhue, Guy, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, Pohlmann, Price, Robinson, Ryan, Shanahan, Soward, Strain, Toland, Treacy, Valentine, Vosburg, and Waymire—55.

NOES—Messrs. Power of Placer, and Rubell—2.

Assembly Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to Section 34 of Article IV of the Constitution of the State of California.

The following amendment was submitted by Mr. Dibble:

Amend by striking out of Section 1, line 1, the word "amendment," and inserting the following: "appropriation."

Adopted.

Assembly Constitutional Amendment No. 41 ordered to printer.

Assembly Constitutional Amendment No. 8—Proposed amendment to Article IV of the Constitution, adding a new section thereto, with reference to local legislation.

Withdrawn by author.

Assembly Constitutional Amendment No. 9—Proposed amendment to Section 7 of Article I of the Constitution, relative to juries.

Mr. Cutter moved that Assembly Constitutional Amendment No. 9 be passed, and made the special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution, in relation to sessions of the Legislature.

The following amendments were submitted:

Amend line 3 of Section 2 of printed bill by striking out the word "January" and inserting in lieu thereof the word "February."

Adopted.

Also: Amend line 6 of Section 2 by striking out the word "five."

Adopted.

Assembly Constitutional Amendment No. 34 ordered to printer.

ADJOURNMENT.

At eleven o'clock and five minutes P. M., on motion of Mr. Leavitt, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 9, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs Aldridge, Allen, Anderson, Arnerich, Belshaw, Bettman, Boone, Breiling, Bridgford Burnett, Burnham, Camınetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Harris, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Moultrie, Mulcrevy, McCandlish, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Shanahan, Sims, Soward, Strain, Toland, Treacy, Vosburg, Waymire, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Saturday, March 6th, was approved as corrected.

LEAVE OF ABSENCE.

Messrs. Bettman and Robinson were granted leave of absence for the day.

INTRODUCTION OF CONCURRENT RESOLUTION.

By Mr. Cutter:

ASSEMBLY CONCURRENT RESOLUTION No. 11.

Resolved by the Assembly, the Senate concurring, That Joint Rules XL, XLVIII, and XLIX be dispensed with for the remainder of the session.

Adopted.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 499—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add two new sections to said Act, to be known as Sections 20 and 21

Also: Assembly Bill No 873—An Act to amend Sections 307 of an Act entitled an Act to establish a Civil Code, relating to the formation of corporations.

Also: Assembly Bill No. 610—An Act to amend Section 1618 of the Code of Civil Procedure of California, relating to the salaries of Public Administrators.

LEAVITT, Acting Chairman.

At ten o'clock and fifteen minutes A. M., the Speaker called Mr. Bettman to the chair.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly amendments to Sections 25 and 67 of Senate Bill No 136, have had the same under consideration, and respectfully report the same back, and recommend that they be not adopted.

BURNHAM, Chairman.

At eleven o'clock and seventeen minutes A. M., the Speaker called Mr. Wright to the chair.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Sections 25 and 56 of Senate Bill No. 136, for the purpose of amending, have had the same under consideration, and respectfully report the same back, and recommend that the accompanying amendments be adopted.

BURNHAM, Chairman.

Senate Bill No. 136—An Act to establish a uniform system of county and township governments.

Pending second reading of the bill, the following amendments were submitted:

Mr. Shanahan moved to reconsider the vote whereby his amendment to Section 25, line 40, was lost.

So ordered.

By Mr. Shanahan:

Amend by inserting in Section 4, after line 9 of page 2, a new subdivision, to read as follows:

6. To bring suit to dissolve corporations operating within its limits for violating any laws of the State or county under which such corporations were created, or for the non-performance of obligations assumed by them in favor of the county or State It shall be the duty of the Attorney-General to assist in the prosecution of any such suit.

Lost.

By Mr. Emmons:

Amend by striking out of Section 15, line 5, the words "by such district and not"

Lost.

Mr. Dibble moved to amend Section 15 by adding the following:

Provided, That in any county or city in which supervisoral districts have not been established by law or ordinance, and in which Supervisors are now required to be elected at large, but from particular wards, the members of the Board of Supervisors shall be elected at large and without regard to residence.

Adopted.

COMMITTEE AMENDMENT No 1.

Amend by striking out of Section 25, line 39, the words "road commissioner or."

Adopted.

COMMITTEE AMENDMENT No. 2

Amend by inserting in Section 25, line 40, after the word "districts," the following: "to be appointed by such board."

Adopted.

COMMITTEE AMENDMENT No. 3.

Amend by adding to Section 25, subdivision 37, line 450, after the word "county," the following: "unless otherwise provided by law."

Adopted.

COMMITTEE AMENDMENT No 4.

Amend by inserting in Section 25, subdivision 38, line 456, after the word "roads," the following: "or county highways."

Adopted.

Mr. Caminetti moved that subdivision 4 of Section 25, as amended in the Assembly this morning, be referred to the Committee on County and Township Governments to be properly arranged.

So ordered.

COMMITTEE AMENDMENT NO. 5.

Amend Section 25 by adding a new subdivision, to be known as subdivision No. 42, as follows:

42. To authorize, by four-fifths vote, the District Attorney to appoint an Assistant District Attorney, which office is hereby created, who shall receive as compensation for his services not to exceed fifteen hundred dollars per annum, to be paid out of the county treasury in equal monthly installments, in the same manner as other county officials are paid, except as otherwise herein provided; *provided, however*, that whenever the Assistant District Attorney may be employed for any period of time less than one year or one month he shall be paid the same rates for the time appointed.

Adopted.

COMMITTEE AMENDMENT NO. 6.

Amend Section 25, line 23, by inserting after the word "county" the following: "unless otherwise provided by law."

Adopted.

COMMITTEE AMENDMENT NO. 7.

Amend Section 25, line 26, by inserting after the word "facilities" the following: "that may be built under the provisions of this subdivision.'

Adopted.

COMMITTEE AMENDMENT NO. 8.

Amend Section 25, line 31, by inserting after the word "facilities" the following: "unless otherwise provided by law"

Adopted.

COMMITTEE AMENDMENT NO 9

Amend Section 25 by striking out all after the word "contract," in line 39, to and including the word "roads," in line 42.

Adopted.

COMMITTEE AMENDMENT NO 10

Amend by striking out in Section 25, line 27, all after the word "must," down to and including the word "must" in line 29, and inserting in line 29, after the words "for bids for," the following: "plans and specifications, strain sheets, working details, and"

Adopted.

COMMITTEE AMENDMENT NO. 11.

Amend by adding a new subdivision to Section 25, to be numbered 12½, as follows.

Subdivision 12½. Whenever there shall be presented to the Board of Supervisors of any county a petition signed by the qualified electors of any township or townships in number equal to a majority of the votes cast at the preceding general election, praying that said township or townships may be allowed to take the census of said township or townships for the purpose of ascertaining the population therein contained, the Board of Supervisors shall order such census to be taken by one or more suitable persons appointed therefor by the Board of Supervisors, and such census shall be taken by such persons so appointed of all the inhabitants of such township or townships; the full name of each person shall be plainly written, the names alphabetically arranged and regularly numbered in one complete series, and when completed shall be verified before any officer authorized to administer oaths, and be filed with the County Clerk of the county wherein such census is taken, and thereupon the same shall be known and shall be the official census of said township or townships. The expenses of taking such census shall be a county charge.

Adopted.

COMMITTEE AMENDMENT NO. 12.

Amend by striking out of Section 25, line 40, the words "to be appointed by such board," and inserting the following: "to be elected by the voters of such district or selected by the road trustees of such district, and such elections shall be held every two years, on the first Monday in April, in the same manner as school elections are held."

Adopted.

By Mr. Austin:

Amend Section 25, subdivision 4, after the word "must," on line 27, by striking out the words "cause to be prepared and must adopt," and inserting "advertise for"; also, in line 28, after the word "details," insert the words "and bids"; also, in line 29, strike out the words "advertise for bids" and insert the words "let the contract thereon"; also, in line 33, after the word "contract," insert the words "upon the plans and specifications adopted by said board."

Lost.

By Mr. Treacy:

Amend by striking out of Section 25, line 27, after the word "must," printed bill, the words "cause to be prepared and must adopt," and inserting the following after the word "must": "advertise for."

Lost.

Also: Amend Section 25, line 29, by inserting the following, after the word "details": the words "and bids," and after the word "must" the words "let the contract thereon."

Lost.

By Mr. Bridgford:

Amend by adding to Section 25, subdivision 16, line 290, the words "and the Board of Supervisors, by unanimous vote, may employ counsel to assist the District Attorney in the prosecution of criminal actions."

Lost.

By Mr. Burnett:

Amend by striking out of Section 25, line 354, the words "such county officer," and inserting the following: "the board."

Lost.

By Mr. Houghton:

Amend by striking out of Section 25, subdivision 42, lines 483 and 484, the words "driving any sheep, hogs, cattle, or other stock along such path or."

Lost.

By Mr. Stansell:

Amend by striking out of Section 25, subdivision 43, line 492, the word "fifteen" and inserting the following: "nine."

Lost.

By Mr. Treacy:

Amend Section 25, line 34, by inserting, after the word "contract," the words "upon the plans and specifications adopted by said board."

Lost.

COMMITTEE AMENDMENT No. 13.

Amend Section 25, page 10, line 39, after the word "contract," by inserting the following: "*provided*, that after the submission of the bids as herein provided, the Board of Supervisors being advised by the County Surveyor that the work can be done for a sum less than the lowest responsible bid, it shall then be their privilege to reject all bids and to order the work done or structure built by day's work, under the supervision and control of the said surveyor; *provided further*, that the Surveyor shall be held personally responsible, under his official bond, to construct said bridge or structure according to his plans and specifications, at a cost not to exceed the amount of the lowest responsible bid received."

Adopted.

COMMITTEE AMENDMENT No. 14.

Amend by inserting in Section 41, line 32, the words "of the finance committee of," between the words "chairman" and "board."

Lost.

By Mr. North, of Yolo:

Amend Section 47, page 30, line 4, by inserting, after the word "county," the following: "*provided* that all official notices required by law to be published in any manner shall be printed for not less than one week in a newspaper, if there be one published in the county; *and provided further*, that such publication shall be done in the newspaper published in or nearest to the section of county directly affected by such official notices or advertising."

Lost.

By Mr. Emmons:

Amend by inserting in Section 55, line 4, the words "Assistant District Attorney," after the word "attorney."

Adopted.

By Mr. Shanahan:

Amend Section 55, line 8, by inserting the following between the word "elect" and the word "the": "except as otherwise provided in this Act."

Adopted.

COMMITTEE AMENDMENT No. 15.

Amend by striking out of Section 56, line 11, the words "any present," and inserting the following: "the jurisdiction of any."

Lost.

COMMITTEE AMENDMENT No. 16.

Amend Section 56, line 5, by inserting after the word "Peace" the following: "*provided*, that in such townships containing more than twenty thousand inhabitants, there shall be two Justices of the Peace."

Lost.

COMMITTEE AMENDMENT No. 17.

Amend by striking out of Section 56, line 6, the word "three," and inserting the word "four."

By Mr. Caminetti:

Amend the committee amendment by striking out of Section 56, line 6, the word "four," and inserting "five."

Adopted.

COMMITTEE AMENDMENT No. 18

Amend by striking out of Section 56, line 8, the word "five," and inserting the following: "four"

Adopted.

By Mr. Toland:

Amend by striking out of Section 56 the following, in lines 7, 8, and 9: the words "and in townships having a population less than five thousand there shall be but one Justice of the Peace and one Constable."

Lost.

By Mr. Kelsey:

Amend by inserting in Section 56, line 5, after the word "Peace," the following: "except as hereinafter otherwise provided."

Adopted.

By Mr. Cross:

Amend by striking out of Section 58, line 1, after the words "township officers," and inserting the following: "and City Justices of the Peace."

Adopted.

By Mr. Bettman:

Amend by inserting in Section 64, line 5, after the word "State," the words "*providing*, that in case of illness or urgent necessity, the Board of Supervisors may, on a

proper showing of such illness or urgent necessity, extend the time herein limited, for the absence of any such officer, not to exceed six months"

Adopted.

By Mr. Mahoney:

Amend by striking out of Section 67 lines 2, 3, 4, 5, subdivision 1, and inserting the following:

1 Receive all moneys, bonds, securities, or evidences of indebtedness owing to the county, which shall have been deposited with him as collateral security on the loan of any moneys belonging to the county or directed by law to be paid to or deposited with him, and all other moneys, bonds, securities, or evidences of indebtedness by law directed to be paid to or deposited with him, safely keep the same, and apply and pay them out, rendering his account thereof as required by law.

Lost.

By Mr. Ryan:

Amend Senate Bill No. 136 by inserting after paragraph numbered 43, of Section 25 thereof, a paragraph to be numbered 44, and to read as follows:

44. To provide and purchase balloting or voting machines to be used at all elections; *provided*, that such machines shall be similar in all counties in this State.

Lost.

By Mr. Leavitt:

Amend printed bill by striking out of Section 139, line 10, the word "and."

Adopted.

Also: Amend printed bill, Section 139, line 10, by inserting after the word "district" the following: "and all other."

Adopted.

Also: Amend printed bill by striking out of Section 139, line 11, the words "unless otherwise provided for," and inserting after the word "map," on line 11, the following: "and all Assessors' block books"

Adopted.

Also: Amend by striking out of Section 139, line 12, the words "when directed by the Board of Supervisors."

Adopted.

Also: Amend printed bill by striking out of Section 139, lines 17, 18, and 19, the words "*providing*, that nothing in this section shall prevent competition on any specific work exceeding the cost of five hundred dollars."

Adopted.

Also: Amend printed Senate Bill No. 136 by adding, after the word "material" on line 4, Section 141, the following: "also all necessary expenses and transportation on work performed in the field."

Lost.

COMMITTEE AMENDMENT No 19.

Amend by striking out of Section 141, lines 5, 6, 7, 8, and 9.

Adopted.

COMMITTEE AMENDMENT No 20.

Amend Section 152, line 11, by adding these words: "The publication of the semi-annual report required to be made by the Public Administrator shall be a county charge."

Adopted.

By Mr. Dibble:

Amend by striking out of Section 158, line 3, all after the word "the," and inserting the following: "salaries and fees fixed by law as compensation; *provided*, that this shall

not be construed as adding any additional compensation to any officer; *provided, however*, that the Sheriff shall also be allowed mileage for the service of any paper required by law to be served, at the rate of fifteen cents per mile for one way only, to be paid by the person requiring such service."

Adopted.

COMMITTEE AMENDMENT No. 21.

Amend Section 159 by adding, after subdivision 2, the following: "In case of sale of property on foreclosure of mortgage or on execution, the Sheriff shall be entitled to receive all necessary expenses of keeping the property and of advertising the sale, and a commission of one per cent upon the proceeds of the sale, which commission shall in no case exceed the sum of twenty-five dollars. Said commission shall be paid into the county treasury, and shall be the property of the county."

Adopted.

COMMITTEE AMENDMENT No. 22.

Amend by striking out of Section 159, line 39, the words "seventy-five" and inserting the word "sixty."

Adopted.

COMMITTEE AMENDMENT No 23.

Amend by inserting in Section 159, line 78, after the word "year," the following: "and such additional assistance as the Auditor may require; and whose compensation in the aggregate shall not exceed the sum of seven hundred and fifty dollars in any one year."

Adopted.

COMMITTEE AMENDMENT No. 24.

Amend Section 159, line 99, by inserting the following: "one corresponding clerk at a salary of ninety dollars per month," after the word "month."

Adopted.

COMMITTEE AMENDMENT No. 25.

Amend Section 159, line 139, by inserting after the word "hundred" the word "fifteen."

Adopted.

COMMITTEE AMENDMENT No. 26.

Amend Section 159, line 143, by inserting after the word "twenty" the following: "five."

Adopted.

COMMITTEE AMENDMENT No. 27

Amend Section 159, line 161, by striking out the word "fifty" and inserting "sixty"

Adopted.

COMMITTEE AMENDMENT No. 28.

Amend Section 159, line 186, by striking out the words "school visited by him," and inserting the word "district."

Adopted.

COMMITTEE AMENDMENT No. 29.

Amend by striking out of Section 159, line 201, the word "four" and inserting the word "seven."

Adopted.

By Mr. Clarke:

Amend printed bill by striking out of Section 160, line 175, after the word "work" down to and including line 190, page 75.

Adopted.

Also: Amend printed bill by striking out of Section 160, lines 242, 243, 244, 245, and 246.

Adopted.

Also: Amend printed bill by striking out of Section 160, subdivision 13, lines 235, 236, and 237, the words: "In townships having a population of forty thousand and over, the

Justice of the Peace of said township shall receive a salary of two thousand dollars per year," and also the figure "2," and the word "other."

Adopted.

Also: Amend printed bill, Section 160, by inserting the following, to be designated as 6½, on page 73, between lines 110 and 111: "The license collector shall receive fifteen per cent of all licenses collected by him."

Adopted.

Also: Amend printed Senate Bill No. 136 by striking out of Section 160, line 142, the word "three" and inserting the following: "eight."

Adopted.

Also: Amend printed Senate Bill No. 136 by striking out of Section 160, line 148, the word "three" and inserting the following. "eight."

Adopted.

Also: Amend printed Senate Bill No. 136 by striking out of Section 160, line 134, the word "three" and inserting the following: "eight."

Adopted.

Also: Amend printed Senate Bill No. 136 by inserting after the word six, on line 56, Section 160, the words "and one half"

Adopted.

Also: Amend printed Senate Bill No. 136 by striking out of Section 160, lines 65, 66, 67, the words "to serve for the period of six months in each year, at a compensation of seventy-five dollars per month," and inserting the following: "whose salary is hereby fixed at the sum of nine hundred dollars per annum."

Adopted.

Also: Amend printed Senate Bill No. 136 by striking out of Section 160, line 100, the word "six," on page 72, and inserting the following: "seven," in lieu thereof.

Adopted.

Also: Amend printed Senate Bill No 136 by striking out of Section 160, line 102, the word "eight," page 72, and inserting the following: "nine" in lieu thereof

Adopted.

Also: Amend printed Senate Bill No. 136 by striking out of Section 160, line 95, the word "four" and inserting the following: "five."

Adopted.

Also: Amend printed Senate Bill No. 136 by striking out of Section 160, line 97, the word "five," on page 72, and inserting the following: "six," in lieu thereof.

Adopted.

Also: Amend printed bill by striking out of Section 160, lines 10 and 11, the words "and four deputies, whose salaries are hereby fixed at the sum of one thousand dollars per annum each," and inserting in lieu thereof the following: "one deputy, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; two deputies, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each, and one deputy, whose salary is hereby fixed at the sum of nine hundred dollars per annum."

Adopted.

By Mr. Leavitt:

Amend by inserting in Section 160, line 262, after the figures "99," the following: "except subdivision 6½, which said subdivision shall take effect sixty days after the passage of this Act."

Adopted.

Also: Amend Section 160, line 268, by adding after the word "date" the following: "except as hereinabove provided."

Adopted.

COMMITTEE AMENDMENT No. 30.

Amend by striking out of Section 161 all of subdivision 13, and inserting the following:

JUSTICE OF THE PEACE.

13. The following salaries, which shall be in full compensation for all services in criminal cases, to be paid monthly out of the county funds as other salaries are paid:

In townships having a population of more than twenty thousand and less than thirty-five thousand, one hundred and twenty-five dollars, together with fifty dollars additional to be paid to the clerk of said court.

In townships of more than seven thousand five hundred and less than twenty thousand, one hundred and twenty-five dollars per month.

In townships of more than six thousand and less than seven thousand five hundred, seventy-five dollars per month.

In townships of five thousand and less than six thousand, fifty dollars per month

In townships of four thousand and less than five thousand, forty dollars per month.

In townships of three thousand and less than four thousand, thirty dollars per month.

In townships of two thousand and less than three thousand, twenty dollars per month

In townships of less than two thousand, fifteen dollars per month.

Provided further, that justices shall retain for their own use all fees collected by them in civil cases only.

Adopted.

COMMITTEE AMENDMENT No 31.

Amend by striking out of Section 161 all of subdivision 14 and inserting the following:

14. Constables, the following salaries, which shall be paid monthly, 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 twenty thousand and more, one hundred and twenty-five dollars.

In townships having a population of fifteen thousand and less than twenty thousand, one hundred dollars.

In townships having a population of seven thousand five hundred and less than fifteen thousand, seventy-five dollars.

In townships having a population of five thousand and less than seven thousand five hundred, forty dollars.

In townships having a population of two thousand five hundred and less than five thousand, twenty dollars.

In townships having a population of one thousand five hundred and less than two thousand five hundred, ten dollars.

For the purposes of this Act, for fixing the compensation of the justices and Constables above mentioned, the population of the different townships of the county are declared to be based upon the figures as shown by the United States census of eighteen hundred and ninety.

Adopted.

COMMITTEE AMENDMENT No. 32.

Amend by striking out of Section 161, line 63, after the word "month," all of lines 63 and 64, and inserting the following: "and in counties of this class the members of the Board of Supervisors shall be ex officio road commissioners, and as such road commissioner shall be paid the sum of five hundred dollars per annum each."

Adopted.

By Mr. Malcolm:

Amend by striking out of Section 161 all the words from line 43 to line 66, inclusive, and inserting the following: "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 criminal fees; *provided, however*, that in townships containing a population of not less than twenty thousand and not more than forty 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 the 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; *provided further*,

that in counties of this class, in townships having a population of twenty thousand inhabitants and over, there shall be two Justices of the Peace."

Adopted.

Also: Amend by striking out of Section 161 all from line 67 to line 87, inclusive, and inserting the following: "Constables, such fees as are now or may be hereafter allowed by law."

Adopted.

RECESS.

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

REASSEMBLED.

The Assembly reassembled at two o'clock and ten minutes P. M.
Speaker Coombs in the chair.
Quorum present.

CONCURRENT RESOLUTION.

By Mr. Cutter:

ASSEMBLY CONCURRENT RESOLUTION No. 11.

Resolved by the Assembly, the Senate concurring, That Joint Rules XL, XLVIII, and XLIX be dispensed with for the remainder of the session.

The question being on the adoption of Assembly Concurrent Resolution No. 11.

The roll was called, and Assembly Concurrent Resolution No. 11 adopted by the following vote:

AYES—Messrs. Allen, Anderson, Arnerich, Austin, Boone, Bridgford, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Harris, Henry, Hill, Hudson, Jones, Keegan, Kelly, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Melick, McCandlish, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Ryan, Sanford, Shanahan, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—56.
NOES—None

SENATE SPECIAL FILE.

Senate Bill No. 392—An Act to amend Section 499 of the Civil Code, relating to street railways operated under different managements.

Mr. Valentine moved that the bill be passed on file, and to retain its place at the head of Senate special file.

So ordered.

Mr. Leavitt moved that the Assembly do now proceed to take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 6, 1897.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on the 6th day of March, 1897, amended and passed as amended, Assembly Bill No. 461—An Act to amend Section 963 of the Code of Civil Procedure.

Also: Assembly Bill No. 40—An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays

Also: Assembly Bill No. 462—An Act to amend Section 977 of the Code of Civil Procedure.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Assembly Bill No. 461—An Act to amend Section 963 of the Code of Civil Procedure.

The following Senate amendment was submitted:

Amend by adding on page 1, at the beginning of line, the words and figures "Section 1."

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. Anderson, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Goff, Harris, Hudson, Jones, Keegan, Kelsey, Kenyon, Landsborough, Leavitt, Mahoney, Mulcrevy, McCandlish, McClellan, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Price, Ryan, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—49

NOES—None.

Assembly Bill No. 461 ordered to enrollment.

Assembly Bill No. 40—An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays.

The following Senate amendments were submitted:

AMENDMENT No. 1.

On page 1, Section 1, line 2, after the word "premises," insert the following: "or highway adjacent thereto."

AMENDMENT No. 2.

On page 1, Section 2, strike out all of this section after the word "same," in line 8, and insert the following: "The County Recorder shall receive for filing said notice the sum of fifty cents"

AMENDMENT No. 3.

On page 2 Section 3, in line 20, strike out the word "*provided*," and also strike out all of lines 21, 22, and 23, and insert the following: "The sum of one dollar shall be paid to the Justice of the Peace, by the party or parties making such claim, for each claim made and entered by him, as aforesaid, which shall be in full compensation for all services rendered by him in connection with each claim so made."

AMENDMENT No. 4.

On page 3, Section 5, in line 3, strike out the words "compensation therefor," and insert in place the word "expenses."

AMENDMENT No. 5.

On page 3, strike out all of Section 8, and substitute the following:

SEC. 8. Nothing in this Act shall affect the laws or regulations in force, or which may be in force, regarding estrays, the poundkeeper, or other pound officer, within the limits of any city or town where laws regarding estrays are in force.

The question being, "Shall the Assembly concur in the Senate amendments to Assembly Bill No. 40?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs Aldridge, Allen, Anderson, Bettman, Bridgford, Burnham, Caminetti, Canavan, Cartwright, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Henry, Houghton, Hudson, Jones, Keegan, Kelsey, Kenyon, Landsborough, Lindenberger, Mahoney, Malcolm, Mulcrevy, McCandlish, North of Alameda, Pohlmann, Sanford, Soward, Strain, Vosburg, Waymire, Wright, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 40 ordered to enrollment.

Assembly Bill No. 462—An Act to amend Section 973 of the Code of Civil Procedure.

The following Senate amendment was submitted:

Amend by inserting in line 1 the word and figure "Section 1, " before the word "Section."

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. Aldridge, Allen, Anderson, Bettman, Boone, Bridgford, Burnett, Canavan, Cartwright, Cross, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Henry, Hudson, Jones, Keegan, Kelly, Kelsey, Landsborough, Lindenberger, Mahoney, Malcolm, Mulcrevy, McCandlish, McClellan, North of Alameda, Pohlmann, Power of Placer, Sanford, Shanahan, Soward, Stansell, Treacy, Vosburg, Wright, and Mr. Speaker—44.
NOES—None.

Assembly Bill No. 462 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 6, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 6th day of March, amended, and passed as amended, Assembly Bill No 22—An Act to amend Section 5 of an Act entitled "An Act to provide a system of street-improvement bonds to represent assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893.

F J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Assembly Bill No. 22—An Act to amend Section 5 of an Act entitled "An Act to provide a system of street-improvement bonds to represent assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893.

The following Senate amendments were submitted:

Amend by striking out of Section 1, line 1, the words "said Act," and inserting in lieu thereof the following: "an Act entitled 'An Act to provide a system of street-improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds,' approved February 27, 1893."

Also: Amend by inserting between subdivision *h* and subdivision *j* the following, in engrossed bill:

Subdivision *i*. On receiving the certificate of sale, the Recorder must file it, and make an entry in a book similar to that required of the City Treasurer, the fee for which shall be fifty cents, and on presentation of the receipt of the City Treasurer for the total amount of the redemption money, the Recorder must, without charge, mark the word "Redeemed," the date, and by whom redeemed, on the margin of the book where the entry of the certificate is made.

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. Aldridge, Allen, Anderson, Boone, Breiling, Bridgford, Burnham, Cammetti, Canavan, Cartwright, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Goodhue, Henry, Keables, Keegan, Kelsey, Kenyon, Lindenberger, Mahoney, Malcolm, McCandlish, McClellan, North of Alameda, Pohlmann, Power of Placer, Price, Rubell, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Vosburg, Wright, and Mr. Speaker—47.
NOES—None.

Assembly Bill No. 22 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 6, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 6th day of March, passed Assembly Bill No 916—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 679—An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and providing for the deposit of district records with County Recorders, and prescribing the effect to be given to recordation of notices of location and affidavits.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Assembly Bills Nos. 916 and 679 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 5th day of March, passed Senate Substitute for Senate Bill No. 169—An Act to require street railroads to provide guards for cars and dummies, and to prescribe penalties.

Also: Senate Bill No. 495—An Act to amend Section 622 of the Political Code of the State of California, relating to the retaliatory clauses concerning insurance companies

Also: Senate Bill No. 601—An Act to amend Section 1238 of the Penal Code, relating to appeals by the people.

Also: Senate Bill No 460—An Act to amend Sections 3465 and 3466 of the Political Code of the State of California, relating to the collection of assessments in reclamation districts of the State.

Also: Senate Bill No. 428—An Act to add a new section to the Code of Civil Procedure, said section to be designated as Section 1810, relating to the filing of accounts of guardians after their death

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Senate Substitute for Senate Bill No. 169—An Act to require street railroads to provide guards for cars and dummies, and to prescribe penalties.

Read first time, and referred to Committee on Corporations.

Senate Bill No. 495—An Act to amend Section 622 of the Political Code of the State of California, relating to the retaliatory clause concerning insurance companies.

Read first time, and referred to Committee on Corporations.

Senate Bill No. 460—An Act to amend Sections 3465 and 3466 of the Political Code of the State of California, relating to the collection of assessments in reclamation districts of the State.

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

Senate Bill No. 601—An Act to amend Section 1238 of the Penal Code, relating to appeals by the people.

Read first time, and referred to Committee on Education.

Senate Bill No. 428—An Act to add a new section to the Code of Civil Procedure, said section to be designated as Section 1810, relating to the filing of accounts of guardians after their death.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the 6th day of March, passed Senate Bill No 647—An Act to authorize the Governor to appoint and commission agents to collect and receive certain claims due the State of California from the United States, to provide compensation for such service, and to distribute the moneys recovered on such claims.

Also: Senate Bill No 591—An Act to provide for the funding and refunding of the indebtedness of levee and protection districts.

F. J. BRANDON, Secretary
By G W. McINTYRE, Assistant

Senate Bill No. 647—An Act to authorize the Governor to appoint and commission agents to collect and receive certain claims due the State of California from the United States, to provide compensation for such service, and to distribute moneys recovered on such claims.

Read first time, and referred to Committee on Claims.

Senate Bill No. 591—An Act to provide for the funding and refunding of the indebtedness of levee and protection districts.

Read first time, and placed on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 8th day of March, passed Senate Bill No. 496—An Act relating to fire departments of municipalities of the first class and fixing the salaries of officers thereof.

Also: Senate Bill No. 469—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1599, 1600, 1615, 1617, 1621, 1622, 1623, 1663, 1697, 1713, 1714, 1830, 1874, 1875, and 1882 of the Political Code of the State of California, and to add one new section to said Code, to be known as Section 1674, relating to the public schools.

Also: Senate Bill No. 363—An Act to provide for the issuance and sale of State bonds, to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the harbor of San Francisco, southward from its present southerly terminus, near the foot of Mission Street, on the waterfront of the City and County of San Francisco.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Senate Bill No. 496—An Act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof.

Placed on file.

Senate Bill No. 469—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1599, 1600, 1615, 1617, 1621, 1622, 1623, 1663, 1697, 1713, 1714, 1830, 1874, 1875, and 1882 of the Political Code of the State of California, and to add one new section to said Code, to be known as Section 1674, relating to the public schools.

Read first time, and referred to Committee on Education.

Senate Bill No. 363—An Act to provide for the issuance and sale of State bonds, to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the harbor of San Francisco, southward from its present southerly terminus, near the foot of Mission Street, on the waterfront of the City and County of San Francisco.

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

MOTION.

Mr. Shanahan moved that Senate Bill No. 601 be placed on the Senate special file without reference to committee.

So ordered.

RESOLUTION—(CASE OF URGENCY).

By Mr. Bettman:

Resolved, That Senate Bill No 496 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Bettman, Mulcrevy, and Cutter.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the resolution of Mr. Bettman to suspend the constitutional provision.

The roll was called, and pending the announcement of the result Mr. Bettman moved a call of the House.

CALL OF THE HOUSE.

The roll was being called, when Mr. Mulcrevy moved that further proceedings under call of the House be dispensed with.

So ordered.

The Speaker then announced the result, and the resolution was adopted by the following vote:

AYES—Messrs Aldridge, Allen, Arnerich, Austin, Bettman, Bridgford, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, Wright, and Mr. Speaker—64.

NOES—Messrs Anderson, Boone, Dryden, Elliott, and McClellan—5.

Senate Bill No. 496—An Act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof.

Read first time, and ordered to second reading.

Senate Bill No. 496—An Act relating to fire departments of municipalities of the first class, and fixing the salaries of officers thereof.

Read second time, ordered considered engrossed, and to third reading.

Senate Bill No. 496—An Act relating to fire departments of municipalities of the first class, and fixing the salaries of 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. Aldridge, Allen, Anderson, Austin, Bettman, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dryden, Elliott, Ennis, Foreman, Gately, Godfrey, Goff, Harris, Henry, Hill, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McGrath, North of Yolo, Power of Placer, Power of San Francisco, Price, Rubell, Sanford, Shanahan, Soward, Strain, Toland, Treacy, Valentine, Vosburg, and Mr. Speaker—66.

NOES—Messrs. Belshaw and Boone—2.

Title read and approved.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 8, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the conference committee, appointed in relation to amendments to Assembly Bill No. 372, report that they have been unable to agree, and the Senate has therefore on this day appointed a free conference committee, consisting of Senators Stratton, Gillette, and Dwyer, and request the appointment of a like committee on the part of the Assembly.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Also.

SENATE CHAMBER, SACRAMENTO, March 8, 1897

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 8th day of March, amended, and passed as amended, Assembly Bill No. 385—An Act to amend Section 2643 of the Political Code, relating to the duties of Boards of Supervisors respecting roads.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Assembly Bill No. 385—An Act to amend Section 2643 of the Political Code, relating to the duties of Boards of Supervisors respecting roads.

The following Senate amendments were submitted:

AMENDMENT No. 1.

Amend Section 1, page 4, line 101, by inserting between the word "any" and the word "road" the word "public."

AMENDMENT No. 2.

Amend by adding after Section 1, line 113 of printed bill, a new section, to read as follows:

SEC. 2. This Act shall take effect immediately.

AMENDMENT No. 3

Amend by striking out of Section 1, line 14, the word "poverty," and inserting in lieu thereof the following: "property."

AMENDMENT No 4.

Amend Section 1, line 84, by striking out "case the work shall"

Also: By changing the word "to," in line 85, to "by," and by changing the semicolon after the word "contract," in line 85, to a comma.

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. Allen, Anderson, Austin, Belshaw, Boone, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Harris, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McCandlish, McGrath, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Sanford, Sims, Soward, Stansell, Strain, Toland, and Wright—54.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 8th day of March refused to pass Assembly Bill No 30—An Act regulating the mode of operating mines where blasting is being done, and providing for the printing and circulating of copies of this Act.

Also: Assembly Bill No. 341—Relating to rights of way across mining claims.

Also: On March 4th refused to pass Assembly Bill No 433—An Act to amend Section 3608 of the Political Code of California, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue.

F. J. BRANDON, Secretary
By G. W. MCINTYRE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 8th day of March concurred in Assembly amendments to Senate Bill No. 108

Also: Passed Assembly Bill No. 980—An Act to provide for an appropriation for the contingent expenses of the Assembly.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 5th day of March adopted Assembly Concurrent Resolution No 9—Resolution welcoming to the State of California the Societies of Christian Endeavor of the World, upon the occasion of their sixteenth annual international convention, to be held in the City of San Francisco, July 7 to 12, 1897

Also: Senate Concurrent Resolution No 5—A concurrent resolution relating to the National Educational Association.

Also: On the 9th day of March, passed Senate Bill No. 525—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies

Also: Senate Bill No 696—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the powers of the Boards of Trustees of certain cities.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 525—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies.

Read first time, and referred to San Francisco Delegation.

Senate Bill No. 696—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the powers of the Boards of Trustees of certain cities.

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

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 8th day of March, passed Senate Bill No 502—An Act to amend Section 1413 of the Code of Civil Procedure of the State of California, relating to the appointment of special administrators

Also: Senate Bill No 668—An Act to amend Section 599 of the Civil Code, relating to what may be provided for in their by-laws, ordinances, constitutions, or articles of incorporation, by corporations for purposes other than profit.

Also: Senate Bill No 248—An Act to amend an Act entitled "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," approved March 17, 1895.

Also: Assembly Bill No. 810—An Act to amend Section 3 of an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, providing for the submission of the question of reincorporation of such corporations at special elections.

F. J BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 502—An Act to amend Section 1413 of the Code of Civil Procedure of the State of California, relating to the appointment of special administrators.

Read first time, and referred to San Francisco Delegation.

Senate Bill No. 668—An Act to amend Section 599 of the Civil Code, relating to what may be provided for in their by-laws, ordinances, constitutions, or articles of incorporation, by corporations for purposes other than profit.

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

Senate Bill No. 248—An Act to amend an Act entitled "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," approved March 17, 1895.

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

Assembly Bill No. 810 ordered to enrollment.

MOTION.

Mr. Leavitt moved that the rules be suspended, and that the House do now proceed to take up Senate Bill No. 136.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Leavitt, Harris, and Burnham.

The question being on the motion of Mr. Leavitt to suspend the rules and take up Senate Bill No. 136.

The ayes and noes were demanded by Messrs. Leavitt, Harris, and Price.

The roll was called, and the motion of Mr. Leavitt to suspend the rules adopted by the following vote:

AYES—Messrs Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon,

Dennery, Dibble, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Guy, Harris, Houghton, Hudson, Kelsey, Lacy, Leavitt, Lindenberger, Malcolm, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda North of Yolo, Power of Placer, Power of San Francisco, Price, Rubell, Sanford, Shanahan, Stansell, Strain, Toland, Treacy, Valentine, Wright, and Mr Speaker—54.

Noes—Messrs. Burnett, Canavan, Ennis, Goff, Goodhue, Henry, Jones, Keables, Kenyon, Landsborough, Mahoney, Pohlmann, Ryan, Sims, Soward, and Vosburg—16.

At three o'clock and fifty-five minutes P. M., the Speaker called Mr. Valentine to the chair.

Senate Bill No. 136—An Act to establish a uniform system of county and township governments.

The following amendments were submitted:

COMMITTEE AMENDMENT No. 32.

Amend Section 162, subdivision 12, line 63, by striking out all of said subdivision after the word "surveyor" and inserting in lieu thereof the words "two thousand four hundred dollars per annum."

Adopted.

COMMITTEE AMENDMENT No. 33.

Amend Section 162, subdivision 1, line 5, by striking out the word "*provided.*"

Adopted.

COMMITTEE AMENDMENT No 34.

Amend by striking out of Section 162, subdivision 13, all of said subdivision after the word "law," in line 67

Adopted.

COMMITTEE AMENDMENT No. 35.

Amend by striking out of Section 162, subdivision 16, and inserting the following:

16. In counties of this class, the official reporters, not exceeding two, of the Superior Court shall receive, as full compensation for taking notes in civil and criminal cases tried in said courts, a monthly salary of one hundred and sixty-six and two thirds dollars, payable out of the county treasury at the same time and in the same manner as the salary of other 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 allowed on the order of the court 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 It is further provided that in each civil case reported by the official reporter there shall be taxed as costs in the case ten dollars per diem for each day of the trial thereof. Such per diem fee shall be paid to the clerk of the court in advance by the party requesting the services of the reporter, and where his services are requested by more than one party, then such fee shall be paid in equal proportions by each of said parties. All per diem fees so collected shall be paid by said clerk into the treasury of the county in which the case is tried.

17. All portions of this section referring to the salaries of the Sheriff, County Clerk, Surveyor, and Reporters shall take effect and be in full force from and after the passage of this Act.

Adopted.

By Mr. Sims:

Amend committee amendment by striking out of Section 162, line 78, the word "courts," and inserting the following word: "court."

Adopted.

Also: Amend committee amendment, Section 162, line 78, by inserting the following after the word "court": the word "each."

Adopted.

Also: Amend the committee amendment by striking out of Section 162, line 82, the words "he shall receive"

Adopted.

Also: Amend committee amendment by inserting in Section 162, line 83, after the word "copy," the words "shall be paid the reporter making the transcription; *provided,*

that said two official reporters herein designated shall perform all the services necessary in all the departments of said court, and when the departments shall require the services of a reporter at the same session it shall be the duty of the said two official reporters to furnish the extra reporter, and his compensation shall be paid by them, and shall not be a charge against the county."

Adopted.

Also: Amend committee amendment, Section 162, line 64, by inserting the following after the word "annum": "and in addition thereto all necessary expenses and transportation for work performed on the field '

Adopted.

Also: Amend by striking out of Section 162 lines 67 and 68.

Adopted.

COMMITTEE AMENDMENT No. 35½.

Amend Section 163, line 40, by striking out the words "six hundred"; also, strike out in line 41, after the word "annum," all the balance of subdivision 5.

Adopted.

Also: Amend by striking out of Section 163, line 44, the words "two thousand," and inserting the following: "twelve hundred"; also, amend by striking out all of line 45 in said section.

Adopted.

COMMITTEE AMENDMENT No. 36

Amend by striking out of Section 163 everything after the word "county," in line 68 of subdivision 2.

Adopted.

COMMITTEE AMENDMENT No. 37.

Amend by striking out of Section 163, line 78, the word "twenty," and inserting the following: "thirty."

Adopted.

COMMITTEE AMENDMENT No. 38.

Amend by striking out of Section 163, line 100, the word "*provided*", also, strike out all of lines 101, 102, 103.

Adopted.

By Mr. Price:

Amend printed bill by striking out of Section 163 lines 70 and 71, and inserting the following: "The Surveyor shall receive one thousand five hundred dollars per annum for all work performed by the county, and in addition thereto all necessary and actual traveling expenses incurred in connection with field work; *provided*, that whenever the Surveyor is directed by the Board of Supervisors to plat, trace, or otherwise prepare maps, plats, or block book for use of the County Assessor, he shall be allowed only the actual cost of preparing the same; *provided further*, that all fees now or which may be hereafter allowed by law shall be paid into the county treasury for the benefit of the county "

Adopted.

COMMITTEE AMENDMENT No. 40.

Amend Section 164, lines 30 and 31, so that the same shall read as follows:

12. The Surveyor, one thousand two hundred dollars per annum, and necessary official and traveling expenses while traveling in the performance of his duties.

Adopted.

COMMITTEE AMENDMENT No. 41.

Amend by striking out of Section 164 all the words on lines from 32 to 72, inclusive, of said section, and inserting the following:

13. Justices of the Peace (except City Justices, whose salaries are now paid by the city), 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 fifteen thousand or more, ninety-five dollars per month; in townships having a population of thirty-five hundred or more and less than forty-five hundred, fifty dollars per month; in townships having a population of twenty-five hundred or more and less than thirty-five hundred, twenty-five dollars per month; in townships having a population of two thousand or more and less than twenty-five hundred, twenty dollars per month; in townships having a population of fifteen hundred or more and less than two thousand, ten dollars per month; in townships having a population of five hundred or more and less than fifteen hundred, five dollars per month.

Each justice must pay into the county treasury, once a month, all fines collected by him. In addition to the monthly salary allowed herein, each justice may receive for his own use such fees as are now or hereafter may be allowed by law for all services performed by him in civil actions.

Substitutes offered for this by Messrs. Foreman and Austin; the one by Mr. Austin rejected, and the one by Mr. Foreman adopted.

COMMITTEE AMENDMENT NO. 42.

Amend Section 164, subdivision 14, to read as follows:

14. Constables: The following 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, except as hereinafter provided, viz: In townships having a population of fourteen thousand or more, one hundred dollars per month; in townships having a population of thirty-five hundred or more and less than forty-five hundred, fifty dollars per month; in townships having a population of twenty-five hundred or more and less than thirty-five hundred, twenty-five dollars per month; in townships having a population of two thousand or more and less than twenty-five hundred, twenty dollars per month; in townships having a population of fifteen hundred or more and less than two thousand, fifteen dollars per month; in townships having a population of five hundred or more and less than fifteen hundred, five dollars per month.

Constable's fees for each mile traveled within his township in executing a warrant of arrest, both in going and coming from place of arrest, fifteen cents For each mile traveled out of his township, going only, fifteen cents; also, for transporting prisoners to the county jail, the actual cost of such transportation. In addition to the monthly salary allowed herein, each Constable shall receive, and retain for his own use and benefit, such fees as are now or hereafter may be allowed by law, for all services performed by him in civil actions.

Substitute by Mr. Austin for the committee amendment:

Amend Section 164 by striking out all words in said section on line 35 down to and including the word "month" on line 48, and inserting in lieu thereof the following: "In townships having a population of fourteen thousand or more, one hundred dollars per month; in townships having a population of not less than five thousand nor more than fourteen, sixty-five dollars per month; in townships having a population of not less than three thousand nor more than five thousand, fifty dollars per month; in townships having a population of not less than two thousand nor more than three thousand, forty dollars per month; in townships having a population of not less than fifteen hundred nor more than two thousand, thirty dollars per month; in all townships having a population of less than fifteen hundred, fifteen dollars per month."

Also: Amend Section 164 by striking out all words in said section beginning with and including the word "in" after the word "viz.," in line 54, down to and including the word "month," in line 68, and inserting in lieu thereof the following: "In townships having a population of fourteen thousand or more, one hundred dollars per month; in townships having a population of not less than five thousand nor more than fourteen, sixty-five dollars per month; in townships having a population of not less than three thousand nor more than five thousand, fifty dollars per month; in townships having a population of not less than two thousand nor more than three thousand, forty dollars per month; in townships having a population of not less than fifteen hundred nor more than two thousand, thirty dollars per month; in all townships having a population of less than fifteen hundred, fifteen dollars per month."

Mr. Foreman moved to amend Mr. Austin's substitute so it shall read as follows:

Amend Section 164 by striking out on line 5 thereof the words "three thousand five" and inserting in lieu thereof the words "five thousand four."

Also: Amend Section 164 by striking out on line 7 thereof the words "three thousand six hundred," and inserting in lieu thereof the words "nine thousand"

Also: Amend Section 164 by striking out on lines 12 and 13 thereof all words on said lines after the word "county," on line 12, and inserting in lieu thereof the following: "*provided*, that in counties of this class the Sheriff shall be allowed no profit for feeding prisoners confined in the county jail, but shall be paid the actual cost of feeding such prisoners, by the Board of Supervisors, such sum to be audited and paid monthly by said board in the same manner as other claims against the county are audited and paid."

Also: Amend Section 164 by striking out on line 14 thereof the words "two thousand five," and inserting in lieu thereof the words "three thousand four."

Also: Amend Section 164, on line 16 thereof, after the word "thousand," by inserting the words "eight hundred"

Also: Amend Section 164 by striking out on line 17 thereof the words "two thousand five hundred," and inserting in lieu thereof the words "three thousand."

Also: Amend Section 164 by striking out all words on line 19 thereof after the word "collector," and inserting in lieu thereof the following: "who shall be ex officio License Collector, one thousand three hundred dollars per annum."

Also: Amend Section 164 by striking out of line 20 thereof the words "two thousand two hundred," and inserting in lieu thereof the words "seven thousand"

Also: Amend Section 164 by striking out on line 22 thereof the words "three thousand," and inserting in lieu thereof the words "four thousand five hundred"

Also: Amend Section 164 by striking out of line 27 thereof the words "two thousand," and inserting in lieu thereof the words "one thousand eight hundred."

Also: Amend Section 164 by striking out all words on lines from 38 to 39, both inclusive, and inserting in lieu thereof the following: "In townships having a population of fourteen thousand or more, ninety-five dollars per month; in townships having a population of not less than five thousand nor more than fourteen thousand, forty-five dollars per month; in townships having a population of not less than three thousand nor more than five thousand, thirty-five dollars per month; in townships having a population of not less than two thousand nor more than three thousand, twenty-five dollars per month; in townships having a population of not less than fifteen hundred and not more than two thousand, eighteen dollars per month; in all townships having a population of less than fifteen hundred, ten dollars per month"

Also: Amend Section 164 by striking out all words in said section on lines from 58 to 69, both inclusive, after the word "viz," on line 58, and inserting in lieu thereof the following: "In townships having a population of fourteen thousand or more, one hundred dollars per month; in townships having a population of not less than five nor more than fourteen thousand, forty-five dollars per month; in townships having a population of not less than three thousand nor more than five thousand, thirty-five dollars per month; in townships having a population of not less than two thousand nor more than three thousand, twenty-five dollars per month; in townships having a population of not less than fifteen hundred nor more than two thousand, eighteen dollars per month; all townships having a population of less than fifteen hundred, ten dollars per month."

Mr. Foreman's motion to substitute was adopted.

The question now recurring on the amendment as amended.

Adopted.

COMMITTEE AMENDMENT No. 43.

Amend by striking out of Section 164, line 73, the word "nine," and inserting the following: "seven."

Adopted.

COMMITTEE AMENDMENT No. 44.

Amend by striking out of Section 164 all of subdivision 16, and inserting the following:

16. There shall be one official court reporter for each department of the Superior Court, and they shall each, in counties of this class, receive as full compensation for taking notes in civil and criminal cases tried in said court, and all lunacy cases, and preliminary examinations and Coroner's inquests, 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 salary 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 be paid by the party ordering the same; and when ordered by the judge, by either party, or by both parties jointly, as the judge may direct.

Adopted.

COMMITTEE AMENDMENT No. 45

Amend Section 164 by adding a new subdivision, to be known as subdivision 17, as follows:

17. This Act, so far as it relates to counties of the seventh class, shall take effect immediately as to the office of Surveyor, official court reporters, Justices of the Peace, and Constables.

Adopted.

COMMITTEE AMENDMENT No. 46.

Amend Section 165 by adding to line 20 the words "He shall have one deputy at an annual salary of twelve hundred dollars."

Adopted.

COMMITTEE AMENDMENT No. 47.

Amend by striking out of Section 165, line 23, the words "five hundred dollars per annum," and inserting the following: "such fees as are now or may be hereafter allowed by law."

Adopted.

COMMITTEE AMENDMENT No. 48.

Amend by striking out of Section 165 lines 24 and 25, and inserting the following:

12. The Surveyor shall receive ten dollars per day for all work performed by him in person for the county, and in addition thereto all necessary expenses and transportation for work performed in the field; there shall be, and there hereby is, allowed to the Surveyor one deputy at a salary of twelve hundred dollars per annum, and such other help as the Board of Supervisors may allow.

Adopted.

By Mr. Cartwright:

Amend committee amendments by striking out of Section 166, lines 52, 53, and 54, the words "the salary herein provided for Surveyor shall not apply to the present term of office," and inserting the following: "He shall have one deputy at a salary of seventy-five dollars per month."

Adopted.

Also: Amend committee amendments by striking out of Section 166, lines 6 and 7, the words "one deputy at a salary of nine hundred dollars per annum."

Adopted.

COMMITTEE AMENDMENT No. 49.

Amend by inserting in Section 166, line 52, after the word "field," "The salary herein provided for Surveyor shall not apply to the current term of office."

Adopted.

COMMITTEE AMENDMENT No. 50.

Amend by inserting in Section 166, line 6, after the word "annum," the words "one deputy at a salary of nine hundred dollars per annum."

Adopted.

COMMITTEE AMENDMENT No. 51.

Amend by striking out of Section 167, line 5, the word "a"

Adopted.

COMMITTEE AMENDMENT No. 52.

Amend by striking out of Section 167, line 6, the words "when so ordered by the Board of Supervisors."

Adopted.

COMMITTEE AMENDMENT No. 53.

Amend by striking out of Section 167, line 7, the word "five," after the word "Sheriff," and inserting the following: "three."

Adopted.

COMMITTEE AMENDMENT No. 54.

Amend by striking out of Section 167, line 91, the word "five," and inserting the following: "three."

Lost

COMMITTEE AMENDMENT No. 55

Amend by striking out of Section 167 all of line 17, and inserting the following:

6. Tax Collector, three thousand dollars per annum; *provided, however*, that in counties of this class, the Tax Collector shall receive no fees or commissions for the collection of licenses.

Adopted.

COMMITTEE AMENDMENT No. 56.

Amend by striking out of Section 167 lines 18, 19, 20, 21, and 22, and inserting the following:

7. The Assessor, five thousand five hundred dollars per annum: *provided, however*, that the percentage received by the Assessor on poll taxes and personal property taxes and also amounts allowed for returning names of persons subject to military duty, and which in counties of other classes is allowed to the Assessor as compensation, shall be paid by him into the county treasury, and no part thereof shall be received by him as compensation.

Adopted.

COMMITTEE AMENDMENT No. 57.

Amend by striking out of Section 167 all of line 33, after the word "annum," and the word "field," on line 34, and inserting the following: " and in addition thereto, all necessary expenses, and transportation on work performed in the field."

Adopted.

COMMITTEE AMENDMENT No. 58.

Amend by striking out of Section 167, line 39, the word "six," and inserting the following: "five"

Adopted.

COMMITTEE AMENDMENT No. 59.

Amend by striking out of Section 167 all of subdivision number 17.

Adopted.

COMMITTEE AMENDMENT No. 60.

Amend by striking out of Section 167, line 124, the number "18," and renumbering the subdivision 17.

Adopted.

COMMITTEE AMENDMENT No 61.

Amend by striking out of Section 167, line 44, the word "dollars."

Adopted.

COMMITTEE AMENDMENT No. 62.

Amend by striking out of Section 167, subdivison 17, and renumbering subdivision 18 as subdivision 17.

Adopted.

By Mr. Goff:

Amend by striking out of Section 167, line 7, the word "five," after the word "thousand," and inserting the following: "three."

Adopted.

Also: Amend committee amendment, Section 167, line 17, by inserting the words "two hundred" after the word "thousand."

Adopted.

Also: Amend Section 167, page 93, subdivision 15, by striking out all of line 82 after the word "annum"; also, by striking out all of line 83 and part of line 84 to and including the word "board," and inserting in lieu of the above the following: "and twenty cents per mile one way for attending sessions of the board; *provided*, that he shall not receive in any one year more than five hundred dollars for said mileage"; and that the lines throughout the balance of Section 167 be renumbered in consecutive order.

Adopted.

By Mr. Hill:

Amend Section 168, line 6, by inserting the following after the word "annum". "and one deputy at a salary of nine hundred dollars per annum"

Adopted.

Also: Amend Section 168, line 63, by inserting the following after the word "ninety-nine": "*provided, also*, that this Act, so far as it relates to the reporter of the Superior Court in counties of the eleventh class, shall take effect immediately."

Adopted.

COMMITTEE AMENDMENT NO. 63.

Amend by inserting in Section 169, after the word "annum," in line 4, the following: "and when a great register of voters is ordered he shall receive five hundred dollars additional, which shall be in full for all services rendered in registering voters and making the great register."

Adopted.

COMMITTEE AMENDMENT NO. 64.

Amend by inserting in Section 169, line 6, after the word "annum," the following: "the mileage allowed by law."

Adopted.

COMMITTEE AMENDMENT NO. 65.

Amend by inserting in Section 169, line 23, after the word "annum," "and his actual necessary traveling expenses while visiting schools."

Adopted.

COMMITTEE AMENDMENT NO. 66.

Amend by striking out of Section 169, line 27, the words "of instruments", and on line 29 strike out the word "work," and insert the word "duties."

Adopted.

COMMITTEE AMENDMENT NO. 67.

Amend by striking out of Section 169 all of subdivision 16 and inserting the following:

16. The official court reporter, for all services required of him in the Superior Court, excepting for transcribing his notes, a salary of one thousand five hundred dollars per annum, to be paid by the county, monthly, as the salaries of county officers are paid. For transcribing his notes of testimony in the Superior Court when required, seven cents per folio for original and four cents per folio for copies, 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 criminal proceedings in the Superior Court, when the judge orders the notes transcribed, the same shall be paid from the county treasury on the 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 of the controversy, and pay the same into the county treasury. At the conclusion of the trial or proceeding 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. Anderson:

Amend by striking out of Section 169, lines 68 to 72, inclusive, the words "For the purposes of this Act, for fixing the compensation of the Justices and Constable above mentioned, the population of the different townships of the county are declared to be based upon the figures as shown by the United States census of eighteen hundred and ninety," and inserting the following: "For the purposes of this Act the basis of calculation for fixing the compensation of the Justices and Constables above mentioned, the population of the different townships of the county shall always be based upon the figures as shown by the last United States census; *provided, however*, that whenever the census of any township or townships shall have been taken under the provisions of this Act, said census may become the basis of calculation."

Adopted.

COMMITTEE AMENDMENT NO. 68.

Amend by striking out of Section 170, line 5, the words "six hundred," and inserting the following: "eight hundred forty."

Adopted.

COMMITTEE AMENDMENT NO. 69.

Amend by striking out of Section 170, line 7, the word "five" after the word "thousand," and inserting the following: "six."

Adopted.

COMMITTEE AMENDMENT NO. 70.

Amend by striking out of Section 170, line 11, the words "fifteen hundred," and inserting the following: "sixteen hundred and fifty."

Adopted.

COMMITTEE AMENDMENT No. 71

Amend by striking out of Section 170, line 16, the words "eighteen hundred," and inserting the following: "two thousand."

Adopted.

COMMITTEE AMENDMENT No. 72.

Amend by striking out of Section 170, line 6, the word "two," and inserting the following: "six."

Adopted.

COMMITTEE AMENDMENT No. 73.

Amend by inserting in Section 170, line 18, after the word "annum." "*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."

Adopted.

COMMITTEE AMENDMENT No. 74.

Amend by striking out of Section 170, line 19, the word "two," and inserting the following: "six."

Adopted.

COMMITTEE AMENDMENT No. 75.

Amend by striking out of Section 170, line 17, the word "two," and inserting the following: "six."

Adopted.

By Mr. Boone:

Amend committee amendment by striking out of Section 170, line 5, the words "three thousand eight hundred and forty," and inserting the following in lieu thereof: "four thousand."

Adopted.

Also: Amend printed bill by striking out of Section 170, lines 42 and 43, the words "seventy-five dollars for any one month," and inserting the following in lieu thereof: the words "nine hundred dollars for any one year."

Adopted.

Also: Amend printed bill by striking out of Section 170, line 48, the words "seventy-five dollars for any one month," and inserting the following in lieu thereof: "nine hundred dollars for any one year."

Adopted.

Also: Amend printed bill by striking out of Section 170, line 49, the words "one thousand" and inserting the following in lieu thereof: "twelve hundred."

Adopted.

COMMITTEE AMENDMENT No. 76.

Amend by striking out of Section 171, line 9, the word "one," and inserting the following: "two"

COMMITTEE AMENDMENT No. 77.

Amend by striking out of Section 171, line 10, the word "two," and inserting the following: "one."

Adopted.

COMMITTEE AMENDMENT No. 78.

Amend by inserting in Section 171, line 30, after the word "month," "and mileage when acting as road commissioner, twenty-five cents per mile, one way; *provided*, the amount of mileage shall not exceed the sum of three hundred dollars in any one year."

Adopted.

COMMITTEE AMENDMENT No. 79.

Amend by striking out of Section 171, line 32, all after the word "ninty-nine."

Adopted.

By Mr. Stansell:

Amend printed bill, Section 171, by inserting, between lines 14 and 15, the words: "Assistant District Attorney, nine hundred dollars per annum."

Adopted.

Also: Amend printed bill by striking out of Section 171, subdivision 15, the words "Each member of the Board of Supervisors, seven dollars and fifty cents per day, not to exceed ten working days each month," and inserting the following in lieu thereof: "Each member of the Board of Supervisors, ten dollars per day, not exceeding six working days each month, at any regular session, and ten dollars per day while sitting as a board of equalization, or in special sessions, not to exceed fifteen working days in any one year."

Adopted.

COMMITTEE AMENDMENT No. 80.

Amend by striking out of Section 172, line 5, the word "sixteen" and inserting the following: "twenty-five."

Adopted.

COMMITTEE AMENDMENT No. 81.

Amend by striking out of Section 172 all of line 6.

Adopted.

COMMITTEE AMENDMENT No. 82.

Amend by striking out of Section 172, line 7, the word "twenty" and inserting the following. "thirty"; and strike out of lines 7 and 8 the words "and Under-Sheriff, at one thousand dollars."

Adopted.

COMMITTEE AMENDMENT No. 83.

Amend by striking out of Section 172, line 9, the words "eight hundred," and inserting the following: "two thousand."

Adopted.

COMMITTEE AMENDMENT No. 84.

Amend by striking out of Section 172, line 10, the word "six," and inserting the following: "nine."

Adopted.

COMMITTEE AMENDMENT No. 85.

Amend by striking out of Section 172, line 11, the word "eighteen," and inserting the following: "fifteen"; also, strike out the word "no" at the end of line 11, and the word "deputies" in line 12.

Adopted.

COMMITTEE AMENDMENT No 86.

Amend by striking out of Section 172, lines 13 and 14, the words "no deputies

Adopted.

COMMITTEE AMENDMENT No. 87.

Amend by striking out of Section 172 lines 15 and 16, and inserting the following: "the Assessor, eighteen hundred dollars per annum."

Adopted.

COMMITTEE AMENDMENT No. 88.

Amend by striking out of Section 172, line 23, the word "seventeen," and inserting the following: "eighteen."

Adopted.

COMMITTEE AMENDMENT No. 89.

Amend Section 172, line 29, by inserting the number "14," before the word "Constables."

Adopted.

COMMITTEE AMENDMENT No. 90.

Amend by striking out of Section 172, line 31, the word "nine," and inserting the following: "six"; also, insert after the word "annum," in line 32, the following: "which shall be in full for all services rendered, including mileage."

Adopted.

COMMITTEE AMENDMENT No. 91.

Amend by striking out of Section 172, line 40, the word "ten," and inserting the following: "six."

Adopted.

COMMITTEE AMENDMENT No. 92.

Amend by striking out of Section 172, line 41, the word "five," and inserting the following: "three."

Adopted.

By Mr. Aldridge:

Amend by striking out of Section 172, line 8, the word "nine," and inserting the following: "twelve."

Adopted.

Also: Amend by striking out of Section 172, line 19, the words "and three hundred dollars mileage per annum."

Adopted.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1897

MR. SPEAKER: Your Committee on Contested Elections have had under consideration the claims of Lundquist vs Dennery, Code vs Mahoney, and Hedemark vs. Dolan, as referred to them by the Sub-Committee on Judiciary, and beg to report that, owing to the lateness of the session, they do not consider it advisable to investigate said cases, and offer the following resolution:

Resolved, That the sitting members, Leon Dennery, Frank Mahoney, and L J Dolan, are hereby declared entitled to their seats in the thirty-second session of the Assembly of the State of California and that the Controller be and he is hereby authorized to draw his warrants, and the Treasurer is instructed to pay the same, in favor of the parties named, and whose claims are approved for the several amounts set opposite their respective names, as per attached bills:

Leon Dennery, contestee:

Mileage to San Francisco, two trips	$36 00
Sixteen witnesses, nine days each, @ $2 00	288 00
Justice's fees, 740 folios @ 12½ cents	91 25
Serving sixteen subpœnas @ 25 cents	4 00
Stenographer's fees, nine days @ $10 00 (one half)	45 00
740 folios testimony @ 20 cents (one half)	74 00
	$538 25
A. J Morganstern, attorney	100 00
A. Ruef, attorney	100 00
Total	$738 25

Geo. A. Bates and Geo. A. Wentworth (attorneys for Lundquist, contestant):

Twelve witnesses, nine days each, @ $2 00	$216 00
Justice's fees, 740 folios @ 12½	91 25
Stenographer's fees, nine days @ $10 00 (one half)	45 00
740 folios testimony @ 20 cents (one half)	74 00
Cost of filing contest and service	8 10
Mailing papers to Secretary of State	1 00
Serving twelve subpœnas @ 25 cents	3 00
Attorney's fees	100 00
Total	$538 35

Frank E. Mahoney, contestee:

Fifteen witnesses @ $2 00 per diem, and mileage	$70 00
Serving twenty-four subpœnas @ 25 cents, and mileage	15 00
Justice's fees, 915 folios @ 12½ cents	114 38
Reporter's fees, five days @ $10 00 (one half)	25 00
915 folios testimony @ 20 cents	183 00
Attorneys' fees	200 00
Total	$607 38

John R. Aitken (attorney for P. D. Code, Jr., contestant):

Sheriff's, County Clerk's, and notary's fees	$8 60
Serving twenty-four subpœnas, and mileage	12 00
Twenty-four witnesses, per diem and mileage	148 80
Justice's fees, 915 folios @ 12½ cents	114 37
Mailing papers to Secretary of State	1 15
Attorneys' fees	100 00
Total	$384 92

L. J. Dolan, contestee:

Stenographer's fees, five days @ $10 00 (one half)	$25 00
Justice's fees, 642 folios @ 12½ cents	70 25
642 folios testimony @ 20 cents (one half)	64 20
Seventeen witnesses, five days each @ $2 00	170 00
Subpœnaing seventeen witnesses @ 25 cents	4 25
J. D. Sullivan and Herbert Choynski, attorneys	200 00
Total	$533 70

Respectfully submitted.

KENYON, Chairman.

Ordered printed in the Journal.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 399—An Act making an appropriation for the purpose of constructing a reservoir, and laying and maintaining a line of pipe from said reservoir to the Marshall monument, and for other purposes—have had the same under consideration, and respectfully report the same back without recommendation.

GUY, Chairman

Senate Bill No. 399 placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1897.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 403—An Act making an appropriation for the purpose of constructing a reservoir, and laying and maintaining a line of pipe from said reservoir to the Marshall monument, and for other purposes—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

GUY, Chairman.

So ordered.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly resolution, by Mr. Guy, to pay claims of W. O. Banks, Sergeant-at-Arms—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

GUY, Chairman

RESOLUTION.

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for the sum of $281 35, in favor of W. O. Banks, Sergeant-at-Arms of Assembly, from the Contingent Fund, to pay for articles as per attached bills:

Adopted.

The Assembly of the State of California, to Mrs. Allie McCulloch, Dr.

March 4—For washing towels of Assembly committee rooms and Sergeant-at-Arms, to March 12	$6 25

To Capital Electric Works, Dr.

March 2—To making key for Mr. Bettman's desk		$0 75
To making latch-key		25
		$1 00

To Tom Scott, Dr.·

March 2—Labor, repairing and clearing water-closets in ladies' toilet		$5 00

To Blue Cañon Water Co., Dr.·

February 6—To Blue Cañon water from February 4th to 6th, inclusive, three days @ $5		$15 00
13—To Blue Cañon water from February 7th to 13th, inclusive, seven days @ $5		35 00
20—To Blue Cañon water from February 14th to 20th, inclusive, seven days @ $5		35 00
21—To Blue Cañon water from February 21st to 28th, inclusive, eight days @ $5		40 00
March 1—To Blue Cañon water from March 1st to 6th, inclusive, six days @ $5		30 00
		$155 00

To Union Ice Company, Dr.·

February 28—To 1,400 pounds ice @ 1c		$14 00

To Tom Scott, Dr.·

February 27—To labor, repairing and cleaning out water-closets		$5 00

To Mrs. Allie McCulloch, Dr.·

February 25—For washing towels of Assembly committee rooms and Sergeant-at-Arms, from February 1 to February 28, 1897		$12 50

To the A. S Hopkins Co, Dr.·

January 6—To one fibre tub		$2 50

To Capital Electric Works, Dr.·

February 17—1 latch key, 25c		$0 25
18—1 desk lock, 75c; 2 keys, 25c, 50c; 2 desk keys, 50c; fixing lock, 50c.		2 25
19—Fixing desk lock and 2 keys, $1 60; 1 key for Speaker's desk, 50c.		2 10
22—4 keys and repairs on locks		2 00
Total		$6 60

To Tom Scott, Dr.

February 20—To cutting down newels at Speaker's desk		$7 50
30 feet electric cord	$1 50	
1 K. W	75	
2 key sockets bushings	60	
15 feet moulding and capping	1 50	
8 knobs and screws	25	
Labor	2 00	
		6 60
Total		$14 10

To J. S Parker, Dr.·

February 18—To pigeon-hole boxes		$1 25

To Tom Scott Dr.·

February 15—1 cabinet	$7 50	
Labor, putting up cabinet	1 50	
		$9 00
1 portable complete slide		15 00
1 pony receptacle	$1 00	
11 feet electric cord	65	
4 silver celluloid shades	5 00	
Labor	2 50	9 15
Total		$33 15

To Union Ice Company, Dr.·

February 14—1,400 pounds ice @ 1c		$14 00

To C. H. Rave, Dr.

January 27—To 1 new lock for room 68		$1 25
27—To 1 desk key		25
29—To 1 desk key and repairing lock		50
February 4—To 1 key and repairing 2 locks, room 73		1 00
		$3 00

To Schaw, Ingram, Batcher & Co., Dr ·

February	5—1 eyelet punch	$2 50	
	24—1 eyelet punch	2 50	
			$5 00
	Bill rendered, 1 scale for post office		3 00
			$8 00

Recapitulation.

To W. O. Banks, Sergeant-at-Arms of the Assembly, Dr.:

February	5—To Schaw, Ingram, Batcher & Co, scale and punches	$8 00
	9—To C. H. Rave, new locks and keys	3 00
	14—To Union Ice Co., ice	14 00
	15—To Tom Scott, material and labor	33 15
	18—To J. S. Parker, pigeon holes for post office	1 25
	20—To Tom Scott, material and labor	14 10
	23—To Capital Electric Works, locks, keys, and repairs	6 60
	24—To The A. S. Hopkins Co., 1 tub for ice	2 50
	25—To Mrs. Allie McCulloch, washing	12 50
	27—To Tom Scott, repairs	5 00
	28—To Union Ice Co, ice	14 00
March	1—To Blue Cañon Water Co, water	155 00
	2—To Tom Scott, repairs	5 00
	2—To Capital Electric Works, keys	1 00
	4—To Mrs. Allie McCulloch, washing	6 25
		$281 35

Ordered printed in Journal.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1897.

MR. SPEAKER: Your Committee on Ways and Means beg leave to submit the following report for the week ending Saturday, March 6, 1897:

Bills received since last report:

March 1, Assembly Bill No 913—Claim of Tehama County	$4,853 50
March 1, Assembly Bill No. 914—Claim of Napa County	8,219 90
March 1, Assembly Bill No. 948—Claim of John Mullan	45,616 30
March 1, Assembly Bill No. 874—Claim of Santa Clara County	3,475 25
March 1, Assembly Bill No. 798—Claim of Monterey County	10,915 52
March 1, Senate Bill No. 524—For monuments for eastern boundary line	15,000 00
March 2, Assembly Bill No. 561—Claim of Francis Williams	7,082 00
March 2, Assembly Bill No 924—Claim of D. L. Blanchard	3,688 00
March 2, Senate Bill No. 56—Purchase of land for Folsom Prison	25,000 00
March 2, Senate Bill No 292—Deficiency for Evergreen Home	3,000 00
March 4, Senate Bill No. 549—Repairs for San Quentin Prison	7,500 00
March 4, Senate Bill No. 64—State Hospital for Special Diseases	20,000 00
March 4, Senate Bill No. 321—Polytechnic School at San Luis Obispo	75,000 00
March 6, Senate Bill No. 640—Repairs to Treasurer's office	7,500 00
March 6, Senate Bill No. 48—Improvements for the Deaf, Dumb, and Blind Asylum, at Berkeley	12,600 00
March 6, Senate Bill No. 399—Improvements to Marshall monument	1,500 00
March 6, Senate Bill No. 291—For reseating hall and building gymnasium for San José Normal School	13,000 00
Total	$263,950 47

Bills reported back favorably:

March 1, Senate Bill No. 182—For inspection of dairies, etc.	$22,500 00
March 1, Assembly Bill No 612—For a wagon road from Mono Lake basin to the "Tioga Road"	25,000 00
March 1, Assembly Bill No. 948—Claim of John Mullan	45,616 30
March 1, Assembly Bill No. 527—Additional buildings for Home for Feeble-Minded Children	50,000 00
March 1, Assembly Bill No 1—Improvements for Deaf, Dumb, and Blind Asylum at Berkeley	17,200 00
March 1, Senate Bill No. 524—For monuments for eastern boundary line	15,000 00
March 2, Assembly Bill No. 735—Claim of Charles Nelson	675 00
March 2, Assembly Bill No. 928—For Hamburg Exposition	6,000 00
March 2, Assembly Bill No. 798—Claim of Monterey County	10,915 52
March 3, Assembly Bill No 874—Claim of Santa Clara County	3,475 25
March 3, Assembly Bill No. 913—Claim of Tehama County	4,853 50
March 3, Assembly Bill No 914—Claim of Napa County	8,219 90
March 3, Senate Bill No 260—Portrait of ex-Governor John McDougall	500 00
March 3, Assembly Bill No. 513—For ventilation of Capitol building	75,000 00
March 4, Senate Bill No. 321—Polytechnic Institute at San Luis Obispo	75,000 00
March 4, Senate Bill No. 56—Additional land for Folsom Prison	25,000 00

March 4, Senate Bill No. 292—Deficiency for Evergreen Home	$3,000 00
March 5, Assembly Bill No. 561—Claim of Francis Williams	4,000 00
March 5, Senate Bill No. 64—Hospital for special diseases	20,000 00
March 5, Senate Bill No 549—Repairs to San Quentin Prison	7,500 00
March 5, Assembly Bill No. 553—A road from Tallac to McKinney's	2,750 00
March 6, Senate Bill No. 640—Repairs to State Treasurer's office	7,500 00
March 6, Senate Bill No. 48—Improvements to Deaf, Dumb, and Blind Asylum at Berkeley	12,600 00
Total	$442,305 47

Bills reported back unfavorably:

March 1, Assembly Bill No. 906—Road from Coulterville, in Mariposa County, to Yosemite Valley	$55,000 00
March 4, Senate Bill No. 90—For relief of District Agricultural Associations	75,000 00
Total	$130,000 00

Referred back without recommendation:

March 1, Assembly Bill No. 349—Improvements to Napa Insane Asylum	$100,000 00
March 4, Assembly Bill No. 436—Improvements to Stockton Asylum	10,000 00
March 5, Assembly Bill No. 213—Place for State mineral exhibit	20,000 00
Total	$130,000 00

Withdrawn by authors:

March 1, Assembly Bill No. 19—For Paris Exposition	$20,000 00
March 2, Assembly Bill No. 435—For residence of Superintendent of Stockton Insane Asylum	10,000 00
March 2, Assembly Bill No. 660—For community dining-room and dormitory building, Southern California Asylum	2,400 00
Total	$32,400 00

Recapitulation.

Total appropriations referred to this committee to date	$4,060,064 11
Total appropriations reported back favorably	1,522,855 00
Total appropriations reported back unfavorably	525,830 40
Referred to other committees	18,073 40
Reported back without recommendation	210,000 00
Amount of bills withdrawn	744,416 97
Amount reduced by committee amendments	89,405 49
Total appropriations remaining with committee	949,482 85

Respectfully submitted.

GUY, Chairman.

ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, March 9 1897

MR SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred the following resolution:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1897

MR. SPEAKER: Your Committee on Public Buildings and Grounds beg leave to report that, in conformity with resolution duly adopted, we visited the Deaf, Dumb, and Blind Asylum at Berkeley, and now present our account for expenses, as follows:

Timothy E. Treacy	$16 00
E. F. Lacy	16 00

WRIGHT, Chairman.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

MELICK, Chairman.

Adopted.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1897.

MR SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Senate Bill No 445—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto two sections, to be numbered 288 and 289, to punish the crimes of open and notorious cohabitation and adultery—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

H. T. POWER, Chairman.

MOTIONS.

At five o'clock P. M., Mr. Wright moved that the House do now take a recess.

Motion lost.

Mr. Caminetti moved that Senate Bill No. 136 be made special order for to-morrow morning, immediately after reading of the Journal, and take its place at the head of the special-order file.

Mr. Dibble moved that the special orders for this morning be retained on file and remain in the same order as this morning.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Price, Cutter, and Cartwright.

The question being on the motion of Mr. Dibble to have the special orders retain their place on file for to-morrow.

Motion adopted.

Mr. Sanford requested permission to withdraw Assembly Bill No. 644.

So ordered.

Mr. Sanford moved that Senate Bill No. 469 be recalled from Committee on Education and placed on Senate special file.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1897

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 959—An Act to amend Section 35 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to the duties of Superintendent of Streets in municipalities having a population of over fifty thousand inhabitants—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VALENTINE, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1897.

MR SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 489—An Act to amend Section 3051 of the Civil Code, relative to sale of stock left in pasture or stables—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

PRICE, Chairman.

Senate Bill No. 489 placed on file for second reading.

MOTIONS.

Mr. Belshaw moved that Senate Bill No. 647, which was referred to Committee on Claims, be re-referred to Committee on Ways and Means.

So ordered.

Mr. Cutter moved that the House do now take up reports of standing committees.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1897

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Substitute for Senate Bills Nos. 357, 358, and 361—An Act to provide for

additional buildings for the California Home for the Care and Training of Feeble-Minded Children; to equip the same for occupancy and use; to provide a system of electric lighting therein, and to make an appropriation therefor.

Also: Senate Bill No. 359—An Act to provide for the fencing of the farm property, the further equipment of the farm, and for the laying out and care of the grounds at the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

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

WRIGHT, Chairman.

Substitute for Senate Bills Nos. 357, 358, and 361, and Senate Bill No. 359, ordered on file for second reading.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 71—An Act to amend Section 4428 of the Political Code of the State of California, relating to the powers of Judges of Police Courts to call in Justices of the Peace to act in their place and stead.

Also: Assembly Bill No. 476—An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

And presented the same to the Governor on this day, at nine o'clock and fifteen minutes A. M.

Also: Assembly Bill No. 128—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. 138—An Act entitled "An Act to amend Section 2003 of the Political Code."

Also: Assembly Bill No. 843—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, by amending Section 1 of said Act

And presented the same to the Governor on this day, at three o'clock and forty-five minutes P. M.

Also: Assembly Bill No. 157—An Act to regulate the width of tires of wagons to be used on the public highways of the State of California—and presented the same to the Governor on this day, at ten o'clock and thirty minutes A M

FONTANA, Chairman

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Senate Bill No 10—An Act providing for the improvement and construction of sidewalks outside 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—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

BURNHAM, Chairman

Senate Bill No. 10 ordered on file for second reading.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly reengrossed:

Assembly Bill No. 449—An Act to amend an Act entitled "An Act to regulate the practice of dentistry."

Assembly Bill No. 653—An Act to reduce the expenses of the government of the State.

Assembly Bill No. 926—An Act giving a lien to blacksmiths, woodworkers, and all other persons employed upon any vehicle or implement of husbandry, for labor performed or material furnished upon the same, and providing for liens upon horses and other animals for the cost of shoeing the same

Also: That the following have been correctly engrossed:

Assembly Bill No 529—An Act to amend an Act entitled "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," approved March 26, 1895

Assembly Bill No. 609—An Act to prevent deception in trade, and to prevent the giving of prizes by persons, firms, or corporations engaged in trade

Assembly Bill No 875—An Act to create a commission for the purpose of examining, testing, and investigating voting machines, and reporting to the Legislature,

at its thirty-third session, the result of such investigation, and making an appropriation for the expenses of such commission.

Assembly Bill No 891—An Act to define and regulate fraternal beneficiary orders

Assembly Bill No 591—An Act to amend Section 3472 of the Political Code of the State of California, relating to the formation of swamp land or reclamation districts.

Assembly Bill No. 343—An Act to provide for the protection and preservation of public highways from damages by storm-waters and floods, and to authorize the expenditure of public moneys for the purposes thereof.

Assembly Bill No. 723—An Act to amend Section 541 of the Civil Code, relating to telegraphic corporations

Assembly Bill No. 922—An Act regulating the importation of diseased cattle into the State of California, providing for the inspection of cattle now in the State, and for the inspection of dairy products, and providing for the appointment of a quarantine officer and inspectors, and the locating of quarantine stations for such purposes.

Assembly Bill No. 964—An Act to amend Section 3930 of the Political Code, relating to permanent boundary line between the counties of Amador and El Dorado.

AUSTIN, Chairman.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1897.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Senate Bill No 574—An Act amending Section 534 of the Political Code, relating to Superintendent of State Printing—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LEAVITT, Chairman

Senate Bill No. 574 placed on file for second reading.

RECESS.

At five o'clock and forty minutes P. M., on motion of Mr. Melick, the House took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

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

Quorum present.

MOTIONS.

Mr. Melick moved to reconsider the vote whereby Assembly Bill No. 654 was on yesterday refused passage.

So ordered.

Assembly Bill No. 654—An Act to add a new title to Part IV of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as Title V, regulating publications by State officers and commissioners, Common Councils, Boards of Trustees, or Supervisors in counties, cities, cities and counties, or towns.

Passed temporarily on file.

Mr. Shanahan moved to reconsider the vote whereby Senate Bill No. 480 was on yesterday finally passed.

Motion lost.

RESOLUTION—(CASES OF URGENCY).

By Mr. Cutter:

Resolved, That Assembly Bills Nos. 982 and 983, and each of them, present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that each of said bills be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution of urgency.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs Aldridge, Allen, Anderson, Arnerich, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Clarke,

Cross, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Goodhue, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Kelsey, Kenyon, Lacy, Malcolm, Mead, Melick, McCandlish, North of Yolo, Power of Placer, Price, Rubell, Sanford, Shanahan, Soward, Strain, Toland, Valentine, Vosburg, and Mr. Speaker—54.

NOES—None.

SPECIAL ORDERS.

Assembly Bill No. 982—An Act to regulate the expenditure of appropriations made by the Legislature of the State of California at its thirty-second session, commencing January 4, 1897.

Read second time, ordered considered engrossed, and to third reading.

Assembly Bill No. 982—An Act to regulate the expenditure of appropriations made by the Legislature of the State of California at its thirty-second session, commencing January 4, 1897.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Fontana, Foreman, Godfrey, Goff, Goodhue, Harris, Hill, Houghton, Hudson, Jones, Keables, Kelsey, Malcolm, Mead, Melick, McCandlish, North of Yolo, Power of Placer, Rubell, Sanford, Shanahan, Sims, Soward, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Assembly Bill No. 983—An Act in relation to elections held under the authority of Section 8 of Article XI of the Constitution, to elect boards of freeholders, or to vote upon proposed charters, or upon amendments of existing charters.

Read second time, ordered considered engrossed, and to third reading.

Assembly Bill No. 983—An Act in relation to elections held under the authority of Section 8 of Article XI of the Constitution, to elect boards of freeholders, or to vote upon proposed charters, or upon amendments of existing charters.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge Allen, Arnerich, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Goff, Henry, Hill, Houghton, Hudson, Jones, Keables, Kenyon, Malcolm, Mead, Melick, North of Alameda, North of Yolo, Power of Placer, Rubell, Sanford, Shanahan, Soward, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—49

NOES—Mr McClellan—1.

Title read and approved.

Assembly Bill No. 654—An Act to add a new title to Part IV of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as Title V, regulating publications by State officers and commissioners, Common Councils, Boards of Trustees, or Supervisors in counties, cities, cities and counties, or towns.

Mr. North, of Alameda, moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend Section 1, line 29, by inserting the following after the word "circulation": "*provided, however*, that publication of such matters and notices may be made in a paper devoted exclusively to the dissemination of legal intelligence, whenever it is so directed by a court or judge designating such paper."

So ordered.

Mr. North, of Alameda, was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 654—An Act to add a new title to Part IV of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as Title V, regulating publication by State officers and commissioners, Common Councils, Boards of Trustees, or Supervisors, in counties, cities, cities and counties, or towns—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.

H. H. NORTH, Committee.

Reported adopted.

MOTION.

Mr. Emmons moved that the rules be suspended for the purpose of considering Assembly Bill No. 410.

Motion lost.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 615—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Passed on file temporarily.

Assembly Joint Resolution No. 23—Relative to the protection of the farming industry.

Passed temporarily on file.

Assembly Bill No. 655—An Act to amend the Civil Code of California, by adding a new section thereto, to be numbered and known as Section 51, relating to libel.

Read third time.

Mr. Leavitt moved to strike out the enacting clause.

The ayes and noes were demanded by Messrs. Melick, Bettman, and Ryan.

The roll was called, and the enacting clause ordered stricken out by the following vote:

AYES—Messrs Aldridge, Allen, Bridgford, Burnett, Burnham, Canavan, Cartwright, Chynoweth, Clarke Cross, Damon, Dennery, Dibble, Dryden, Emmons, Ennis, Fontana, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Kenyon, Leavitt, Mahoney, Malcolm, Mulcrevy, North of Alameda, North of Yolo, Power of Placer, Sims, Soward, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—44

NOES—Messrs. Arnerich, Belshaw, Bettman, Boone, Breiling, Dolan, Elliott, Gately, Henry, Lacy, Lindenberger, Mead, Melick, McCandlish, McClellan, McGrath, Power of San Francisco, Rubell, Sanford, Shanahan, Strain, Toland, and Treacy—23.

MOTIONS.

Mr. Emmons moved to reconsider the vote by which Assembly Concurrent Resolution No. 7 was on yesterday refused adoption.

So ordered.

Mr. Emmons moved to reconsider the vote by which Assembly Constitutional Amendment No. 1 was on yesterday refused adoption.

So ordered.

Mr. Emmons moved to reconsider the vote whereby Assembly Constitutional Amendment No. 26 was on yesterday refused adoption.

So ordered.

Mr. Emmons moved to make his three motions to reconsider special orders for next legislative day.

So ordered.

Mr. Belshaw moved to reconsider the vote whereby Assembly Bill No. 635 was finally passed.

Motion lost.

Mr. Leavitt moved that the Engrossing Clerk return Assembly Bill No. 977.

So ordered.

Mr. Boone moved to reconsider the vote whereby Assembly Bill No. 943 was on yesterday finally passed.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 376—An Act to appropriate money for the erection of additional buildings at the Preston School of Industry at Ione, and for furnishing and equipping the same.

Mr. Caminetti moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend Section 1, line 7, by striking out the word "for" where it first occurs in said line.

Mr. Caminetti was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

MR SPEAKER: Your committee appointed to amend Assembly Bill No. 376 in accordance with the instruction given, hereby reports that said bill has been so amended.

CAMINETTI, Committee.

Report adopted.

Assembly Bill No. 376 ordered to reëngrossment and third reading.

Assembly Bill No. 378—An Act to provide for certain improvements at the Preston School of Industry, and making an appropriation therefor.

Passed on file.

Mr. Bettman moved that Senate Bill No. 90 be substituted for Assembly Bill No. 364.

So ordered.

Senate Bill No. 90—An Act for the relief of district agriculture associations.

Read second time.

Mr. Bettman 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. 90.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 90 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 90—An Act for the relief of district agriculture associations—and now report back, with amendments, and recommend that the amendments be not adopted, and that the bill do not pass.

COOMBS, Chairman.

Report adopted.

The following amendments were submitted:

COMMITTEE AMENDMENT NO. 1.

Amend the title by striking out everything after the word "district" and inserting the following: agricultural associations, and appropriating money therefor."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend Section 2, line 2, of the printed bill, by inserting after the word "and," the following: "if found correct."

Adopted.

COMMITTEE AMENDMENT No. 3.

Amend Section 2, line 3, of the printed bill, by inserting after the word "amount," the word "allowed"; and after the word "or" insert the word "for."

Adopted.

COMMITTEE AMENDMENT No. 4.

Amend Section 2, line 5, by inserting after the word "signatures," the words "before the same shall be paid"

Adopted.

COMMITTEE AMENDMENT No 5.

Amend Section 2, line 8, after the word "approved," by striking out the words, "on the general fund in the state treasury."

Adopted.

COMMITTEE AMENDMENT No. 6.

Amend Section 2, line 10, by striking out the words "such warrant," and inserting the following: "the same."

Adopted.

COMMITTEE AMENDMENT No. 7

Amend Section 2 by striking out all of line 11.

Adopted.

COMMITTEE AMENDMENT No. 8.

Amend by inserting a new section, to be numbered Section 5, as follows:

SEC 5. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of seventy-five thousand dollars, or as much thereof as may be necessary for the purpose of this Act.

Lost.

COMMITTEE AMENDMENT No. 9.

Amend Section 5 by numbering it Section 6.

Lost.

Mr. McClellan moved to amend by striking out the enacting clause.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1897

MR. SPEAKER. Your Committee on Engrossment beg leave to return herewith Assembly Bill No. 977, according to instructions, without engrossment.

LEAVITT, Acting Chairman.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 700—An Act to amend Section 53 of the Code of Civil Procedure of the State of California.

The following amendment was submitted by Mr. Dibble:

Amend by striking out of Section 2, line 1, all after the figure "2," and inserting the following: "This Act, amendment to Section 53 of the Code of Civil Procedure, shall not apply to any suit now pending in any court of this State.

The question being on the amendment offered by Mr. Dibble.

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

AYES—Messrs. Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Goff, Goodhue,

Houghton, Hudson, Lindenberger, Malcolm, Mead, Melick, McClellan, Rubell, Shanahan, Soward, Toland, Vosburg, and Mr. Speaker—30.

NOES—Messrs Allen, Arnerich, Clarke, Cross, Gately, Godfrey, Harris, Henry, Jones, Keables, Kelly, Kelsey, Lacy, Mulcrevy, McCandlish, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Sims, Treacy, Waymire, and Wright—26

Assembly Bill No. 700 ordered to printer, reengrossment, and third reading.

NOTICE OF RECONSIDERATION.

Mr. Bettman gave notice that on next legislative day he would move to reconsider the vote whereby the enacting clause of Senate Bill No. 90 was stricken out.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 977—An Act to amend Section 170 of the Code of Civil Procedure.

Mr. Bridgford moved that Assembly Bill No. 977 be considered engrossed.

So ordered.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Arnerich, Boone, Breiling, Bridgford, Burnett, Burnham, Camminetti, Canavan, Cartwright, Clarke, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Goff, Goodhue, Harris, Henry, Houghton, Hudson, Kelly, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, Pohlmann, Rubell, Shanahan, Sims, Strain, Toland, Vosburg, Wright, and Mr Speaker—41.

NOES—Messrs. Chynoweth, Cutter, Damon, Dibble, Jones, Keables, McGrath, North of Alameda, North of Yolo, Power of Placer, Soward, and Treacy—12.

Title read and approved.

Assembly Bill No. 121—An Act to create and regulate, in any city, or city and county, in this State, public warehouses, other than warehouses for the storage of grain or wool, and to enforce warehouse liens.

Read second time.

The following amendment was submitted:

Amend by striking out all of Assembly Bill No 121 after the enacting clause, and inserting the following:

SECTION 1. All warehouses and storehouses and all buildings used for storage purposes, situated in any city, or city and county, in this State, and wherein property is stored for a compensation, are declared to be public warehouses

SEC. 2 Every person, firm, or corporation now conducting or who shall hereafter conduct a warehouse or storage business in any public warehouse or warehouses provided for by this Act, shall, before transacting any warehouse or storage business, and before issuing any warehouse receipt, procure from the Mayor of the city, or city and county (or from the President of the Board of Trustees of the city, where there is no Mayor), in which such warehouse is located, a license permitting the proprietor of such warehouse or warehouses to transact the business of a public warehouse under the laws of this State, which license shall be issued by the Mayor or President of the Board of Trustees of the said city, or city and county, upon a written application by such person, firm, or corporation, setting forth the location and name of such warehouse or warehouses and the individual name of each person interested as owner or principal in the management of the same; or, if said warehouse or warehouses be owned or managed by a corporation, the names of the president secretary, and treasurer of such corporation shall be stated; and the said license shall give authority to said applicant to carry on and conduct the public warehouse business in said city, or city and county, in accordance with the laws of this State now in force or which may hereafter be in force, in relation to warehousemen, which license shall be non-transferable, and in case the holder of such license shall violate any of the provisions of said laws, said license may be revoked by the said Mayor or President of the Board of Trustees upon the complaint of any person, in writing, setting forth the particular violation of the law, to be sustained by satisfactory proof, to be taken in such manner as may be directed by the said Mayor or President of the Board of Trustees; of the hearing of which complaint at least five days' notice in writing shall be given the party or parties holding the license; and upon such revocation the said

Mayor or President of the Board of Trustees may refuse to renew the same or to grant a new one to any person or persons whose license has been revoked, for one year from the time of said revocation.

SEC. 3. No person, firm, or corporation shall receive a license under the provisions of this Act until he shall have filed with the Mayor of the city (or President of the Board of Trustees) or city and county in which the license is applied for, a bond to the people of the State of California, with two or more good and sufficient sureties, to be approved by said Mayor or President of the Board of Trustees, in the penal sum of twenty-five thousand dollars, conditioned for the faithful performance of his or her duty in conducting or carrying on a public warehouse, and a security for the payment of all penalties and damages found and adjudged by due course of law, for violation of any provision of this Act or any of the laws of this State which are now or may hereafter be in force in relation to the duties and liabilities of warehousemen or depositaries for hire.

And such bond shall inure to the benefit of any depositor or other person who shall suffer damage by any conversion or misappropriation of goods or other violation of law or duty by such licensee, and such depositor or other person damaged may sue in his own name upon said bond.

The sureties upon said bond must be freeholders within the State of California, and each surety shall justify, before the Mayor or President of the Board of Trustees, by making affidavit that he is worth the amount for which he seeks to qualify upon said bond, and an inventory containing a description and statement of the value of the property of said surety sufficient to entitle him to justify upon said bond shall be annexed thereto, and a copy of this Act shall also be attached to said bond before the sureties justify thereon.

No lease, sale, or assignment of said warehouse or of said warehouse or storage business shall operate and discharge the principal or sureties on any bond given under this Act, or to deprive any depositor in said warehouse of his right of action thereon, until such depositor shall have had thirty days notice, in writing, of said lease, sale, or assignment, and if said depositor shall allow his goods to remain in said warehouse after said period of thirty days, then the principal and sureties of the assignor, lessor, or vendor shall be relieved from further liability; and said assignee, lessee, or vendee shall, before he shall enter upon the business of a public warehouseman, shall obtain a license and give bonds as herein required.

Upon the complaint of any person, in writing, setting forth that any bond given under this Act shall have become void or insufficient security for the penal sum in which it was executed, the Mayor or President of the Board of Trustees of the city, or city and county, in which said bond shall have been filed, upon satisfactory proof, to be taken in such manner as may be directed by the said Mayor or President of the Board of Trustees, and upon five days' notice to the party or parties holding a license for which such bond is given, may revoke said license and require a new and sufficient bond.

SEC. 4. Any person who shall transact and carry on in any city, or city and county, of this State, the business of storing property for a compensation, or who shall issue a warehouse receipt without first procuring a license or giving a bond as herein provided, or who shall continue to transact or conduct such business after such license has been revoked, save only that he may be permitted to deliver property that may be stored in such warehouse, shall be guilty of a misdemeanor, and upon conviction thereof be fined in a sum not less than fifty dollars nor more than three hundred dollars for each and every day such business is carried on.

SEC 5 All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 6. This Act shall take effect and be in force from and after the expiration from and after thirty days from the time of its passage.

Adopted.

Mr. Wright moved to amend by striking out in line 2, in title, all after the words "public warehouses."

Adopted.

Read second time, and ordered to engrossment and third reading.

LEAVE OF ABSENCE.

Mr. Dryden was granted a leave of absence for the remainder of the day.

At ten o'clock and thirty-five minutes P. M., the Speaker called Mr. Wright to the chair.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 790—An Act to amend Section 1576 of the Code of Civil Procedure, relating to the purchase of property of deceased persons by the administrator or executor.

Read third time.

The question being on the final passage of the bill.

Pending roll call, Mr. Shanahan moved a call of the House.

The roll was being called, when Mr. Shanahan moved that further proceedings under 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. Allen, Belshaw, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Dibble, Dryden, Elliott, Emmons, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Henry, Houghton, Hudson, Jones, Kelsey, Leavitt, Lindenberger, Mahoney, Mulcrevy, McCandlish, McClellan, McGrath, Pohlmann, Power of San Francisco, Rubell, Shanahan, Sims, Strain, Toland, Treacy, and Vosburg—42.

NOES—Messrs. Arnerich, Boone, Breiling, Cutter, Damon, Dennery, Dolan, Keables, Lacy, Malcolm, Melick, North of Alameda, North of Yolo, Power of Placer, Price, Soward, Waymire, and Wright—18.

Title read and approved.

Assembly Bill No. 656—An Act providing for the furnishing to Sheriffs and Chiefs of Police of certain information, descriptions, and photographs of convicts about to be discharged by the Wardens of State prisons.

Read third time.

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, Boone, Bridgford, Burnett, Burnham, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Elliott, Ennis, Fontana, Foreman, Goff, Henry, Houghton, Hudson, Jones, Keables, Kelsey, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, McCandlish, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Shanahan, Sims, Soward, Strain, Waymire, and Wright—45.

NOES—None.

Title read and approved.

Assembly Bill No. 909—An Act to amend Section 2 of an Act entitled "An Act to organize and define the powers of the Board of Railroad Commissioners," approved April 15, 1880.

Mr. Cross moved to substitute for Assembly Bill No. 909 Assembly Bill No. 842.

So ordered.

Assembly Bill No. 842 (Substitute for Assembly Bill No. 115)—An Act to regulate the licensing and powers of detectives within the boundaries 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. Allen, Arnerich, Belshaw, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Emmons, Ennis, Fontana, Foreman, Goff, Goodhue, Harris, Henry, Hudson, Jones, Keables, Kelsey, Leavitt, Lindenberger, Malcolm, Mulcrevy, North of Alameda, Power of Placer, Price, Rubell, Shanahan, Sims, Soward, Strain, Toland, Waymire, and Wright—45.

NOES—Messrs. Godfrey, Houghton, Melick, McGrath, and Power of San Francisco—5.

Title read and approved.

Senate Bill No. 288 (Substitute for Assembly Bill No. 325)—An Act to provide for the completion and equipment of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California, and to make an appropriation therefor.

Read second time.

Mr. North moved that the Assembly resolve itself into Committee of the Whole, with Mr. Wright in the chair, for the purpose of considering Senate Bill No. 288 and Assembly Bill No. 410.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Wright in the chair.

Senate Bill No. 288 and Assembly Bill No. 410 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Wright in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 288 (Substitute for Assembly Bill No. 325)—An Act to provide for the completion and equipment of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California, and to make an appropriation therefor.

Also: Assembly Bill No. 410—An Act to provide for the payment of claims against the State of California arising under an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and making an appropriation therefor.

And now report the same back to the House, and recommend that Senate Bill No. 288 do pass as amended, and Assembly Bill No. 410 do pass without amendment.

WRIGHT, Chairman.

Report adopted.

Assembly Bill No. 410—An Act to provide for the payment of claims against the State of California arising under an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and making an appropriation therefor.

Ordered to engrossment and third reading.

Senate Bill No. 288—An Act to provide for the completion and equipment of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California, and to make an appropriation therefor.

AMENDMENTS TO BILL.

By Mr. North, of Alameda:

Amend by striking out of Section 1, lines 8 and 9, the words "the sum of seventeen thousand five hundred dollars."

Adopted.

Also:

Amend by striking out of Section 1, lines 10 and 11, the words "the sum of twenty five hundred dollars."

Adopted.

Also: Amend by striking out of Section 1, line 13, the words "the sum of twenty-five hundred dollars."

Adopted.

Also: Amend by striking out of Section 1, line 14, the words "the sum of one thousand dollars"

Adopted.

Also: Amend by striking of Section 1, line 16, the words "the sum of four thousand dollars."

Adopted.

Also: Amend by striking out of Section 1, line 18, the words "the sum of fifteen hundred dollars."

Adopted.

Also: Amend by striking out of Section 1, lines 20 and 21, the words "the sum of one thousand dollars."

Adopted.

Senate Bill No. 228 ordered to printer, reëngrossment, and third reading.

MOTION.

Mr. Sims moved that the special urgency file of to-night be made special order for to-morrow night, and that the Assembly take up the file where it left off this evening.

So ordered.

INTRODUCTION OF CONSTITUTIONAL AMENDMENTS— (OUT OF ORDER).

By Mr. Belshaw: Assembly Constitutional Amendment No. 45—Resolution proposing to the people of the State of California an amendment to Article XI of the Constitution, by adding thereto a new section, to be numbered and known as Section 12*a*.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Toland: Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to the right of suffrage.

Read, and referred to Committee on Constitutional Amendments.

ADJOURNMENT.

At eleven o'clock and twenty-three minutes P. M, on motion of Mr. North, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 10, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry. Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Robinson was granted leave of absence for the balance of the present week.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Monday, March 8th, was approved as corrected.

Mr. Shanahan moved that the report of the Committee on the Revision of the File, striking off bills as printed in last Saturday's Journal, be adopted.

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 498—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children, and to prevent and punish wrongs to children," approved March 29, 1878.

Mr. Shanahan moved to reconsider the vote by which the amendment offered by him was adopted on yesterday.

So ordered.

The following amendment was offered by Mr. Shanahan:

To refer to select committee, with instructions to amend by striking out of Section 2 lines 6 to 10, inclusive

The question being on the adoption of the amendment offered by Mr. Shanahan.

The same was lost.

Bill read third time.

Mr. Dibble moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 1, line 13, all after the word "misdemeanor," in said line, down to and including the word "county," in line 16, and inserting the following: "*provided*, that the foregoing provisions shall not apply to any regular theater or reputable place of amusement."

So ordered.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 498—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children, and to prevent and punish wrongs to children," approved March 29, 1878—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

DIBBLE, Committee.

Report adopted.

Assembly Bill No. 498 ordered to reëngrossment, printer, third reading, and to retain its place on file.

Assembly Bill No. 891 (Substitute for Assembly Bill No. 484)—An Act entitled "An Act to define and regulate fraternal beneficiary orders."

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Austin, Bettman, Boone Bridgford, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Damon, Dibble, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Harris, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Mahoney, Mead, Melick, Power of Placer, Price, Sanford, Sims, Soward, Stansell, Strain, Toland, Vosburg, Waymire, and Mr. Speaker—45.

NOES—None.

Title read and approved.

MOTIONS.

Mr. Bettman moved that the House request the Senate to return Senate Bill No. 90.

So ordered.

At ten o'clock and thirty-five minutes P. M., the Speaker called Mr. Guy to the chair.

Mr. Jones moved that the Chief Clerk be authorized to appoint an extra Assistant Clerk, as per his request.

So ordered.

The Chief Clerk appointed Grant Towle Assistant Clerk, to date from this day.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 136—An Act to establish a uniform system of county and township governments.

Pending the second reading, the following amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out of Section 173, line 6, the words "fifty-five hundred," and inserting the following: "six thousand."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out of Section 173, line 11, the words "five thousand," and inserting the following: "fifty-five hundred."

Adopted.

COMMITTEE AMENDMENT No. 3.

Amend by striking out of Section 173 line 33, after the words "such fees as are now or may be."

Adopted.

By Mr. Soward:

Amend by striking out of Section 173, lines 16 and 17, the words "such fees as are now or may hereafter be allowed by law," and inserting the following: "four hundred dollars per annum."

Adopted.

Also: Amend by striking out of Section 173, line 26, the word "ten," and inserting the following: "twenty."

Adopted.

COMMITTEE AMENDMENT No. 4.

Amend by striking out of Section 174, line 31, the word "three," and inserting the following: "five."

Adopted.

By Mr. Sanford:

Amend by striking out of Section 174 lines 27 to 32, inclusive, and inserting the following: "Each member of the Board of Supervisors, five dollars per day and ten cents

per mile mileage in traveling to and from his residence to the county seat, and for his services as road commissioner he shall receive twenty cents per mile, one way, for all distances actually traveled by him in the performance of his duties; *provided*, he shall not in any one year receive more than six hundred dollars as such road commissioner. This Act as far as it relates to the compensation of supervisors as road commissioners shall take effect immediately after the passage of this Act."

Adopted.

COMMITTEE AMENDMENT No. 5.

Amend by striking out of Section 175, line 2, the word "seven," and inserting the following: "nine."

Adopted.

COMMITTEE AMENDMENT No. 6.

Amend by striking out of Section 175, line 15, after the word "annum," and inserting the following: "and five per cent on all licenses collected by him as license collector."

Adopted.

COMMITTEE AMENDMENT No. 7.

Amend by striking out of Section 176, line 16, the words "two thousand," and inserting the following: "fifteen hundred."

Adopted.

COMMITTEE AMENDMENT No. 8.

Amend by striking out of Section 176 all of subdivision 12, and inserting the following:

12. The Surveyor shall receive one thousand five hundred dollars per annum for all work performed for the county, and in addition thereto actual traveling and other necessary expenses incurred in connection with field work; *provided*, that whenever the Surveyor is directed by the Board of Supervisors to plat, trace, or otherwise prepare maps, plats, or block book for the use of the County Assessor, he shall be allowed only the actual cost of preparing the same.

COMMITTEE AMENDMENT No. 9.

Amend by striking out of Section 177 lines 5 to 21, inclusive, and inserting the following:

1. The County Clerk, three thousand two hundred and fifty dollars per annum.
2. The Sheriff, six thousand dollars per annum.
3. The Recorder, two thousand two hundred and fifty dollars per annum.
4. The Auditor, one thousand dollars per annum.
5. The Treasurer, two thousand dollars per annum.
6. The Tax Collector, one thousand dollars per annum.
7. The Assessor, four thousand dollars per annum.
8. The District Attorney, two thousand two hundred and fifty 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 six hundred dollars per annum.

Lost.

COMMITTEE AMENDMENT No. 10.

Amend Section 177, line 35, by inserting the following after the word "seat": "*provided*, mileage shall not be allowed more than once a month."

COMMITTEE AMENDMENT No. 11.

Amend Section 177, line 43, by inserting the following:

He shall, when required, without additional compensation, except his actual traveling expenses, report examinations in felony cases, in the several Justice Courts in said county, and for transcription of said notes, when required, he shall receive the same compensation as provided for like work in the Superior Court.

Substitute by Mr. Power, of Placer:

Amend by striking out all of Section 177, and inserting the following:

SEC. 177. In counties of the twentieth class the county officers shall receive, as compensation for the services required of them by law, by virtue of their office, the following salaries, to wit:

1. The County Clerk, three thousand two hundred and fifty dollars per annum.
2. The Sheriff, six thousand dollars per annum.
3. The Recorder, two thousand two hundred and fifty dollars per annum.
4. The Auditor, one thousand dollars per annum.

5. The Treasurer, two thousand dollars per annum
6. The Tax Collector, one thousand dollars per annum.
7. The Assessor, four thousand two hundred and fifty dollars per annum.
8. The District Attorney, two thousand two hundred and fifty 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 six hundred dollars per annum.
12. The Surveyor shall receive a per diem of ten dollars for all work performed for the county, and, in addition thereto, all necessary expenses and transportation on work performed in the field.
13. The 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 hereafter be allowed by law; *provided*, that the amount allowed by the Board of Supervisors for services in criminal actions or proceedings other than felonies shall not exceed one hundred dollars for any one quarter.
15. Each Supervisor, six hundred dollars per annum, and twenty cents per mile for traveling to and from the county seat; *provided*, mileage shall not be allowed more than once a month.
16. In counties of this class, the official reporter shall receive a salary of one hundred and fifty dollars per month, payable monthly, and in the same manner and at the same time as other county officers are paid, which salary shall be in full compensation for all services, both per diem and transcription, required of him in the Superior Court and in the Justice's Courts of the county in examinations, and before the Coroner in homicide cases. It shall be his duty to attend all examinations in the Justice's Court, and before the Coroner in homicide cases, when not engaged in the Superior Court He shall collect and monthly pay into the county treasury ten dollars per day for taking notes, and fifteen cents per folio for transcriptions in civil cases. He shall receive his actual traveling expenses while attending Justice's Court and before the Coroner. This subdivision shall take effect immediately.

Adopted.

COMMITTEE AMENDMENT No. 12.

Amend by inserting in Section 178, line 5, after the words "per annum," the words "*provided*, that in years when a great register is ordered the County Clerk shall receive in addition to his regular salary the sum of five hundred dollars for such service."

Adopted.

COMMITTEE AMENDMENT No. 13.

Amend Section 178, line 13, by inserting the following: After the word "treasury" the words "and which payment shall be in full for all services, including the recording of mining claims."

Adopted.

COMMITTEE AMENDMENT No. 14.

Amend Section 178, line 5, by inserting the following: After the word "thousand" the words "two hundred."

Adopted.

COMMITTEE AMENDMENT No. 15.

Amend by striking out of Section 178, line 18, the words "thirty-five," and inserting in lieu thereof the words "thirty-eight."

Adopted.

COMMITTEE AMENDMENT No. 16

Amend Section 178, line 28, by inserting after the word "education" the words "his office shall be kept open on all business days from two to five P. M."

Adopted.

COMMITTEE AMENDMENT No. 17.

Amend by striking out of Section 178, line 27, the words "eighteen hundred," and inserting in lieu thereof the words "two thousand."

Adopted.

COMMITTEE AMENDMENT No. 18

Amend Section 178 by inserting in line 102, after the words "salaries of," the words "Recorder, District Attorney."

Adopted.

COMMITTEE AMENDMENT No. 19.

Amend Section 178 by inserting in line 103, after the word "Constables," the words "court reporter."

Adopted.

COMMITTEE AMENDMENT No. 20.

Amend Section 178, line 14, by inserting after the word "thousand," the words "two hundred."

Adopted.

COMMITTEE AMENDMENT No. 21.

Amend Section 178, line 31, by striking out the word "twelve," and inserting in lieu thereof the word "fifteen."

Adopted.

COMMITTEE AMENDMENT No 22.

Amend Section 178 by adding a new subdivision, to be known as subdivision number 14½, as follows:

14½. The population of the several judicial townships shall be ascertained by the Board of Supervisors by multiplying the vote of presidential electors cast in each township at the next preceding general election by five.

Adopted.

COMMITTEE AMENDMENT No. 23.

Amend Section 178 by inserting in line 95, after the word "folio," the words "for the original and five cents per folio."

Adopted.

COMMITTEE AMENDMENT No. 24.

Amend by striking out of Section 178, line 76, the word "fifteen," and inserting the word "ten."

Adopted.

COMMITTEE AMENDMENT No. 25

Amend by striking out of Section 178, line 92, the words "one hundred," and inserting in lieu thereof the word "eighty-five."

Adopted.

Mr. Dibble moved to lay aside temporarily the consideration of Senate Bill No. 136.

So ordered.

INTRODUCTION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Cutter:

ASSEMBLY CONCURRENT RESOLUTION No. 12.

Resolved by the Assembly, the Senate concurring, That the two houses adjourn *sine die* at twelve o'clock M., Saturday, March twentieth, eighteen hundred and ninety-seven.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Foreman, Goff, Goodhue, Guy, Henry, Houghton, Hudson, Keables, Keegan, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Melick, McCandlish, McClellan, North of Alameda, Pohlmann, Power of Placer, Sanford, Soward, Strain, and Toland—45.

NOES—Mr. Godfrey—1.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 136—An Act to establish a uniform system of county and township governments.

The following additional amendments were submitted:

By Mr. Lindenberger:

Amend the amendment by striking out of Section 178, line 102, the words "District Attorney."

Adopted.

Also: Amend by striking out of Section 178, line 96, the words "copies of."

Adopted.

By Mr. North, of Yolo:

Amend Section 181, page 114, line 8, by inserting, after the word "voters," the following: "and making the great register."

Adopted.

Also: Amend by striking out of Section 181 subdivisions 13 and 14, and inserting the following:

13. Justices of the Peace, the following monthly salaries, to be paid each month as the county officers are paid, which shall be in full for all services rendered by them in criminal cases: In townships having a population of two thousand five hundred and more, seventy dollars; in townships having a population of one thousand five hundred and less than two thousand five hundred, forty dollars; in townships having a population of one thousand and less than one thousand five hundred, twenty-five dollars; in townships having a population of less than one thousand, ten dollars. Each justice must pay into the county treasury, once a month, all fines collected by him. In addition to the monthly salary allowed herein, each justice may receive for his own use such fees as are now or may hereafter be allowed by law for all services performed by him in civil actions.

14. Constables, the following salaries, which shall be paid monthly as salaries of county officers are paid, and which shall be in full for all services rendered by him in criminal cases, to wit: In townships having a population of two thousand five hundred or more, eighty dollars; in townships having a population of one thousand five hundred and less than two thousand five hundred, forty-five dollars; in townships having a population of one thousand and less than one thousand five hundred, thirty dollars; in townships having a population of less than one thousand, fifteen dollars. In addition to the monthly salary allowed herein, each Constable may receive and retain for his own use such fees as are now or hereafter may be allowed by law for all services performed by him in civil actions.

Adopted.

COMMITTEE AMENDMENT No. 26.

Amend Section 182, line 5, by inserting the word "six" in lieu of "five."

Adopted.

COMMITTEE AMENDMENT No. 27.

Amend Section 182, line 6, by inserting the word "eight" in lieu of "seven," and, after the word "annum," "He may retain for his own use the mileage and fees for the service of papers or process issued by any court of this State outside of his own county."

Adopted.

COMMITTEE AMENDMENT No. 28.

Amend Section 182, line 7, by inserting the words "two thousand" in lieu of "twelve hundred" On line 9 insert the word "twenty" in lieu of the words "eighteen hundred." On line 10 insert the word "twenty" in lieu of "eighteen hundred."

Adopted.

COMMITTEE AMENDMENT No. 29.

Amend Section 182, line 11, by inserting the words "three thousand" in lieu of "twenty-five hundred."

On line 12 insert the word "six" in lieu of "five"

On line 13 insert the words "four thousand" in lieu of "thirty-five hundred," and after the word "annum," on line 14, the words "*provided*, that he shall be disqualified from engaging in any cause or action to which the county or State is not a party."

On line 19 insert the words "twenty-four" in lieu of "fifteen."

On line 22 insert the following:

12. The Surveyor shall receive twelve hundred dollars per annum and traveling and official expenses in the county.

Adopted.

COMMITTEE AMENDMENT NO. 30.

Amend Section 183, line 7, by inserting the following after the word "annum": "and such mileage as is now allowed by law; also, for expenses in all criminal cases and all fees for service of papers in actions arising outside of his county"

Adopted.

COMMITTEE AMENDMENT NO. 31.

Amend by inserting the following in Section 183, on line 43, after the word "cases": "*provided, however*, that no Constable shall be allowed in any one month, out of the county treasury, more than fifty dollars in misdemeanor cases."

Adopted.

COMMITTEE AMENDMENT NO. 32.

Amend by striking out of Section 183, line 44, the word "six," and inserting the following: "three."

Adopted.

COMMITTEE AMENDMENT NO. 33.

Amend by striking out of Section 184, line 11, the words "four hundred and eighty," and inserting the following: "five hundred and forty."

Adopted.

COMMITTEE AMENDMENT NO. 34.

Amend by striking out of Section 184, line 15, the words "four thousand," and inserting the following: "three thousand and nine hundred."

Adopted.

COMMITTEE AMENDMENT NO. 35.

Amend Section 184 by inserting after the word "allowed," in line 53, the following:

At the general election to be held in the year eighteen hundred and ninety-eight a full Board of Supervisors must be chosen in counties of the twenty-seventh class. They shall so classify themselves by law that three of them shall hold office for four years and two of them for two years The Supervisors elected at the general election of nineteen hundred, and every two years thereafter, shall hold office for four years. They shall take their office on the first Monday after the first day of January after their election.

16. In counties of this class the official reporter of the Superior Court shall receive, as full compensation for taking notes, when his services are demanded, in civil cases, and in all criminal cases and matters tried or heard in said court, and, when requested by the District Attorney, for preliminary examinations in Justice's Court, and inquests, 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 not to exceed the sum of ten cents per folio for the original, and not to exceed 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. Chynoweth:

Amend by inserting in Section 184, after line 38, the words "No Assistant District Attorney shall be appointed in counties of the twenty-seventh class."

Adopted.

Also: Amend by striking out of Section 184, line 5, the words "and fifty."

Adopted.

By Mr. Strain:

Amend by striking out of Section 185 all of subdivision 11, and inserting the following: "The Superintendent of Schools, fifteen hundred dollars per annum, and his reasonable traveling expenses incurred in visiting schools of the county, to be fixed and allowed by the Board of Supervisors, not to exceed the sum of five hundred dollars per annum; *provided*, he shall devote his entire time to the duties of said office."

Adopted.

COMMITTEE AMENDMENT NO. 35½

Amend by striking out all of Section 186, and inserting in lieu thereof the following:

SEC. 186. In counties of the twenty-ninth class the county officers shall receive, as compensation for the services required of them by law, or by virtue of their offices, the following salaries, to wit:

1. The County Clerk, eighteen hundred dollars per annum.

2. The Sheriff, fifty-one hundred (5,100) dollars per annum, which includes the fifteen hundred dollars heretofore allowed the Under-Sheriff. He shall also have for his own use all fees for service of all papers served by him and issued without his county; the said fifty-one hundred dollars to be in full of all fees or percentage as license collector.

3. The Recorder, twenty-eight hundred dollars per annum, in full of all services, including filing or recording mining location notices.

4. The Auditor, twelve hundred dollars per annum. In counties of this class the office of Auditor shall not be consolidated with any other office; and where now consolidated, the Board of Supervisors shall segregate said office immediately upon the approval of this Act.

5. The Treasurer, eighteen hundred dollars per annum.

6. The Tax Collector, one thousand dollars per annum.

7. The Assessor, twelve hundred dollars per annum, and he is hereby allowed in addition thereto five deputies, to be appointed by him, who shall each receive five dollars per day for not exceeding three months in any calendar year, while engaged in the performance of their duties.

8. The District Attorney, eighteen 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, eighteen hundred dollars per annum, and necessary expenses for traveling in visiting schools in the county, to be allowed by the Supervisors of the county.

12. The Surveyor, such fees as are now or may be hereafter allowed by law; *provided*, he shall be given all work for the county in which the county employs a surveyor or civil engineer; *and provided further*, that it shall be the duty of the Board of Supervisors of counties of this class to so employ him.

13 In counties of this class Justices of the Peace may, for their own use, collect the following fees, and no other:

Each Justice of the Peace shall be allowed, in a civil action before him, for all services to be performed by him before trial, three dollars; and for the trial, and all proceedings subsequent thereto, including all affidavits, swearing witnesses and jury, and the entry of judgment and issue of execution thereon, four dollars; and in all cases where judgment is rendered by default or confession, for all services, including execution and satisfaction of judgment, three dollars.

For all services in a criminal action or proceeding, whether on examination or trial, four dollars

For taking bail after commitment by another magistrate, fifty cents.

For certificate and transmitting transcript and papers on appeal, one dollar.

For copies of papers on docket, per folio, ten cents.

For issuing a search warrant, to be paid by the party demanding the same, fifty cents

For celebrating a marriage and returning a certificate thereof to the County Recorder, three dollars

For taking an acknowledgment of any instrument, for the first name, fifty cents; for each additional name, twenty-five cents.

For taking depositions, per folio, fifteen cents.

For administering an oath and certifying the same, twenty-five cents

For issuing a commission to take testimony, fifty cents.

For all services connected with the posting of estrays, one dollar.

In cases before the Justice of the Peace, when the venue shall be changed, the justice before whom the action shall be brought, for all services rendered, including the making up and transmission of the transcript and papers, shall receive three dollars; and the justice before whom the trial shall take place shall receive the same fees as if the action had been commenced before him.

For performing the duties of Coroner, when the Coroner fails to act, the same fees and mileage as are allowed the Coroner in like cases.

For issuing each process, writ, order, or paper required by law to be issued, not otherwise provided for, twenty-five cents.

For administering oath or affirmation not otherwise herein provided for, twenty-five cents.

For each certificate or affidavit not otherwise herein provided for, twenty-five cents.

For taking and approving bond or undertaking, including the justification of sureties, fifty cents.

14. In counties of this class, Constables shall receive:

For serving summons and complaint, for each defendant served, fifty cents.

For each copy of summons for service, when made by him, twenty-five cents.

For levying writ of attachment or execution, or executing order of arrest, or for the delivery of personal property, one dollar.

For serving writ of attachment or execution on any ship, boat, or vessel, three dollars.

For keeping personal property, such sum as the court may order; but no more than two dollars per day shall be allowed for a keeper when necessarily employed.

For taking bond or undertaking, fifty cents.

For copies of writ and other papers, except summons, complaint, and subpœnas, per folio, ten cents; *provided*, that when correct copies are furnished him for use, no charge shall be made for such copies.

For serving any writ, notice, or order, except summons, complaint, or subpœnas, for each person served, fifty cents

For writing and posting each notice of sale of property, twenty-five cents.

For furnishing notice for publication, twenty-five cents.

For serving subpœnas, each witness, including copy, twenty-five cents.

For collecting money on execution, one and one half per cent.

For executing and delivering certificate of sale, fifty cents.

For executing and delivering Constable's deed, one dollar and fifty cents.

For each mile actually traveled within his township in the service of any writ, order, or paper, except a warrant of arrest, in going only, per mile, twenty-five cents.

For traveling outside of his township to serve such writ, order, or paper, in going only, twenty-five cents, *provided*, that a Constable shall not be required to travel outside of his township to serve any civil process, order, or paper. No constructive mileage allowed.

For conveying prisoners to county jail, traveling expenses.

For each mile necessarily traveled within his county in executing a warrant of arrest, both in going and returning from place of arrest, fifteen cents

For each mile traveled out of his county, both going and returning from place of arrest, seven and one half cents.

For each day's attendance in court in civil and criminal cases, three dollars per day.

For executing a search warrant, such fees and mileage as may be allowed for executing warrant of arrest

For arresting prisoner and bringing him into court, one dollar.

For summoning a jury, two dollars, including mileage.

For transporting prisoners to the county jail, the actual cost of such transportation.

County officers must, and township officers may, demand the payment of all fees in civil cases in advance.

In counties of this class Justices of the Peace and Constables shall be entitled to collect and receive the fees provided in this section, from and after the passage of this Act.

15. Each member of the Board of Supervisors, five hundred dollars per annum and ten cents per mile in going from residence to the county seat.

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, and for preliminary examinations in Justices' Courts, a monthly salary of seventy-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. Shanahan:

Amend by inserting in Section 186, line 48, after the word "dollar" and before the word "and," the words "and fifteen cents for each hour actually engaged in such trial after the expiration of eight hours."

Adopted.

Also: Amend the committee amendment to Section 186 by striking out of Section 186, line 110, the words "twenty-five," and inserting the following: "fifty."

Adopted.

Also: Amend the committee amendment to Section 186 by striking out of Section 186, line 131, the words "seven and one half cents," and inserting the following: "ten cents."

Adopted.

Also: Amend the committee amendment to Section 186 by striking out of Section 186, in line 136, the word "one," and inserting the following: "two."

Adopted.

Also: Amend the committee amendment to Section 186 by inserting in Section 186, between lines 140 and 141, the words "for commissions for receiving and paying over money on execution without levy, or when the goods or land levied on shall not be sold, one per cent. The fees herein allowed for the levy of an execution, and for making or collecting the money on execution, shall be collected from the judgment debtor, by virtue of such execution, in the same manner as the sum herein directed to be paid."

Adopted.

By Mr. Toland:

Amend by striking out of Section 187, line 4, the word "four," and inserting the following in lieu thereof: "seven."

Adopted.

Also: Amend by striking out of Section 187, line 12, the words "one thousand eight," and inserting the following: "two thousand five."

Adopted.

Also: Amend by striking out of Section 187, line 21, the word "five," and inserting the following in lieu thereof: "eight."

Adopted.

Also: Amend by adding to Section 187, after the word "county," at the end of line 29, the following: "*provided*, that such traveling expenses shall be allowed and paid as other county charges, and shall not exceed ten dollars per district for the districts actually in any calendar year."

Adopted.

Also: Amend Senate Bill No 136 by striking out of Section 187 all the matter contained in lines 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, and 53 thereof, and inserting in lieu thereof the following:

16. In counties of this class the official reporter of the Superior Court shall receive as full compensation for taking notes in all civil and criminal causes and proceedings in said court, and for taking notes of the proceedings and testimony at all Coroner's inquests in the county, and for taking notes of the testimony and proceedings in all examinations before committing magistrates, and for taking notes of the testimony and proceedings of cases and commissions for the examination of persons charged with being of unsound mind, 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 the transcription of said notes, when the transcription thereof is required by law, or by order of the court, or by demand of any party to the suit or proceeding, 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 all criminal cases and Coroner's inquests and examinations before and examinations of persons charged with being of unsound mind to be audited and allowed by the Board of Supervisors as other claims against the county, and in civil cases and proceedings to be paid by the party ordering the same, or, when ordered by the judge by either party, or jointly by both parties, when and in such proportions as the court may direct. When necessary for such reporter to travel away from the county seat in the performance of his duty, he shall receive his actual and necessary traveling expenses, to be allowed and paid by the Board of Supervisors as are other county charges.

Adopted.

Also: Amend by striking out of Section 187 all the matter contained in lines 32 and 33, and insert in lieu thereof the following:

13 Justices of the Peace, fees as follows: In a civil action before him, for all services to be performed by him before trial, two dollars; and for the trial and all proceedings subsequent thereto, including all affidavits, swearing witnesses and jury, and the entry of judgment and issue of execution thereon, three dollars; and twenty-five cents for each hour actually engaged in such trial; and in all cases where judgment is rendered by default or confession, for all services, including execution and satisfaction of judgment, two dollars.

For copies of papers on docket, per folio, fifteen cents.

For issuing a search warrant, to be paid by the party demanding the same, fifty cents.

For certificate, and transmitting transcript and papers on appeal, two dollars.

For celebrating a marriage, and returning a certificate thereof to the County Recorder, three dollars.

For taking an acknowledgment of any instrument, for the first name, fifty cents; for each additional name, twenty-five cents.

For issuing a commission to take testimony, fifty cents.

For all services in a criminal action or proceeding, whether on examination or trial, three dollars; and twenty-five cents for each hour actually engaged in the trial or hearing of such action or proceeding

For taking depositions, per folio, fifteen cents.

For administering an oath and certifying the same, twenty-five cents.

For taking bail after commitment by another magistrate, fifty cents

For all service connected with the posting of estrays, one dollar.

In cases before the Justice of the Peace when the venue shall be changed, the justice before whom the action shall be brought, for all service rendered, including the making up and transmission of the transcript and papers, shall receive one dollar; and the justice before whom the trial shall take place shall receive the same fee as if the action had been commenced before him.

For performing the duties of Coroner, when the Coroner fails to act, the same fees and mileage as are allowed the Coroner in like cases.

For issuing each process, writ, or order or paper required by law to be issued not otherwise herein provided for, twenty-five cents.

For administering oath or affirmation not otherwise herein provided for, twenty-five cents.

For each certificate or affidavit not otherwise herein provided for, twenty-five cents.

For taking and approving bonds or undertaking, including the justification of sureties, fifty cents; *provided*, that no Justice of the Peace, in counties of this class, shall receive, in any one month, more than seventy-five dollars in misdemeanor criminal cases: *provided further*, that each Justice of the Peace shall file with the County Auditor on or before the first Monday in each month a statement of all fines collected by him the preceding month, and shall pay into the county treasury the amount due the county on account of such fines. No claim of a Justice of the Peace shall be allowed by the Board of Supervisors for any month until such statement and payment are made.

Adopted.

Also: Amend by striking out the whole of lines 34 and 35 of Section 187, and inserting the following:

14 Constables, fees as follows: For serving summons and complaint, for each defendant served, fifty cents

For each copy of summons for service, when made by him, twenty-five cents.

For levying writ of attachment or execution, or executing order of arrest, or for the delivery of personal property, one dollar and fifty cents

For serving writ of attachment or execution on any ship, boat, or vessel, three dollars.

For keeping personal property, such sum as the court may order; but no more than two dollars per day shall be allowed for a keeper when necessarily employed.

For taking bond or undertaking, fifty cents

For copies of writs and other papers, except summons, complaint, and subpœnas, per folio, fifteen cents; *provided*, that when correct copies are furnished him for use, five cents per folio may be charged by him.

For serving any writ, notice, or order, except summons, complaint, or subpœnas, for each person served, fifty cents.

For advertising property for sale on execution, or under any judgment or order of sale, exclusive of the cost of publication, one dollar

For serving subpœnas, each witness, including copy, twenty-five cents.

For collecting money on execution, one and one half per cent.

For executing and delivering certificate of sale, fifty cents.

For executing and delivering Constable's deed, two dollars.

For each mile actually traveled within his township in the service of any writ, order, or paper, except a warrant of arrest, in going only, twenty cents per mile.

For traveling in executing such writ, order, or paper, in going only, twenty cents. No constructive mileage allowed.

For each mile necessarily traveled within his county in executing a warrant of arrest, both in going and returning from place of arrest, fifteen cents; *provided*, that for traveling in the performance of two or more official services at the same time, including the service of civil process or criminal warrants, or transportation of persons charged or convicted of a criminal offense, but one mileage shall be charged

For each mile necessarily traveled outside his county, in executing a warrant of arrest, both in going and returning from place of arrest, ten cents; *provided*, that for traveling in the performance of two or more official service at the same time, including the service of civil process or criminal warrants, or transportation of persons charged or convicted of a criminal offense, but one mileage shall be charged.

For executing a search warrant, such fees and mileage as may be allowed for executing warrant of arrest

For arresting prisoner, except on a charge of vagrancy, and bringing him into court, two dollars.

For arresting a person on a charge of vagrancy, and bringing him into court, twenty-five cents.

For summoning a jury, two dollars, including mileage.

For transporting prisoners to the county jail, the actual cost of transporting such prisoner, in addition to the Constable's fee of fifteen cents per mile in going only

For making sales of estrays in civil cases, the same fees as for sales on execution.

For commissions for receiving and paying over money on execution or other process when lands or personal property have been levied on and sold, on the first thousand dollars, one and one half per cent On all sums above that amount, one per cent

For commissions for receiving and paying over money on execution without levy, or when the goods or land levied on shall not be sold, one per cent. The fees herein allowed for the levy of an execution, and for advertising, and for making or collecting the money on execution, shall be collected from the judgment debtor, by virtue of such execution, in the same manner as the sum therein directed to be made.

For serving writ of possession or restitution, putting a person in possession of the premises, and removing the occupants, three dollars.

For attending court, twenty-five cents for each hour in excess of five hours actually engaged in attending the trial of the case or upon the examination of a criminal charge before a magistrate.

County officers must, and township officers may, demand the payment of all fees in civil cases in advance, *provided*, that in counties of this class no Constable shall receive, in any one month, more than one hundred dollars for all services in misdemeanor criminal cases.

Adopted.

Also: Amend by striking out of Section 187, lines 30 and 31, the words "The Surveyor, such fees as are now or may be hereafter allowed by law," and inserting in lieu thereof the following: "The County Surveyor shall receive one thousand eight hundred dollars per annum and the necessary cost of transportation to and from and necessary expenses while in the field, when engaged on public work"

Adopted.

COMMITTEE AMENDMENT No. 36.

Amend by striking out of Section 188, line 12, the words "six hundred," and inserting the following: "one thousand."

Adopted.

COMMITTEE AMENDMENT No. 37.

Amend by striking out of Section 188, line 15, the words "one thousand," and inserting the following: "twelve hundred."

Adopted.

By Mr. Fontana:

Amend by adding to Section 188, line 36, after the word "ten," the following: "*provided*, he shall be given all work for the county in which the county employs one surveyor or civil engineer."

Adopted.

COMMITTEE AMENDMENT No. 38.

Amend by inserting in Section 189, line 10, after the word "law," the following: "*and provided further*, that the Sheriff shall also receive, for his own use and benefit, the mileage, fees, and commission for all service of all papers whatsoever issued by any court of the State outside of his county."

Adopted.

COMMITTEE AMENDMENT No. 39.

Amend by striking out of Section 189, line 11, the word "five," and inserting the following: "eight."

Adopted.

COMMITTEE AMENDMENT No. 40.

Amend by striking out of Section 189 line 17, after the word "*provided*," in subdivision 6 of said section, and inserting the following: "As license collector, he shall be entitled to receive and retain for his own use and benefit ten per centum on all licenses collected by him."

Adopted.

By Mr. Caminetti:

Amend by inserting in Section 189, line 21, after the word "shall," the words "in addition."

Adopted.

Also: Amend by striking out of Section 189, lines 23 to 26, the words "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."

Adopted.

Also: Amend by adding to Section 189, line 47, after the word "law," the following: "*provided*, he shall be given all work for the county in which the county employs one surveyor or civil engineer."

Adopted.

Also: Amend by adding to Section 189, line 49, after the word "law," the following: "*provided*, that the Board of Supervisors shall divide the county so as to have four thousand population in each township."

Adopted.

Also: Amend by adding to Section 189, line 51, after the word "law," the following: "*provided*, that the Board of Supervisors shall divide the county so as to have four thousand population in each township."

Adopted.

Also: Amend by inserting in Section 189, line 54, after the word "and," the following "unless otherwise provided by law."

Adopted.

Also: Amend by adding to Section 189, at end of section, a new subdivision, as follows: 16. In counties of this class the official reporter of the Superior Court shall receive for his services in taking notes in civil and criminal cases tried in said courts and in examinations for committal to the asylum for the insane, such fees as may be allowed by the court. The official reporter for services in taking notes in inquests before the Coroner and examinations before magistrates, such fees as may be allowed by the Board of Supervisors. For transcription of notes, in either of the above cases, when required, the official reporter shall receive not exceeding ten cents per folio for the original and not exceeding five cents per folio for a copy. Said compensation for taking notes and transcribing the same in criminal cases, and in cases in which the county may be a party, 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 to an action or proceeding, or jointly by both parties to an action or proceeding, when and in such proportion as the Court may direct. Fees for transcription of notes in cases or proceedings in the Superior Court shall be fixed by the court, and for transcription of notes in inquests before the Coroner, or examinations before magistrates, shall be fixed by the Board of Supervisors.

Adopted.

COMMITTEE AMENDMENT No. 41.

Amend by striking out of Section 191, line 5, the words "three thousand," and inserting the following: "two thousand seven hundred."

Adopted.

COMMITTEE AMENDMENT No. 42

Amend by striking out of Section 191, line 6, the word "six," and inserting the following word: "five."

Adopted.

COMMITTEE AMENDMENT No 43.

Amend by striking out of Section 191, line 7, the words "two thousand," and inserting the following: "one thousand six hundred"; also, insert after the word "annum" "*provided*, that such Recorder shall collect and pay into the county treasury, for the use and benefit of the county, the fees required by law to be so collected; *and provided*, that when the amount of said fees collected shall exceed two hundred and fifty dollars in any month, the Recorder may receive and retain for his own use, in addition to his salary, one half of all fees in excess of two hundred and fifty dollars in any month so collected But the amount of fees thus received by the Recorder for his own use, plus his salary, shall not exceed the sum of two thousand two hundred dollars in any one year."

Adopted.

COMMITTEE AMENDMENT No. 43½.

Amend by striking out of Section 191, line 8, the word "eighteen," and inserting the following word: "sixteen."

Adopted.

COMMITTEE AMENDMENT No. 44.

Amend by striking out of Section 191, line 11, the words "one thousand," and inserting the following words: "eight hundred."

Adopted.

COMMITTEE AMENDMENT No. 45.

Amend by striking out of Section 191 all of lines 12 and 13, and inserting the following: "The Assessor, two thousand six hundred dollars; *provided*, that the Assessor shall annually revise the plats of his office, and prepare the military roll at his own cost and expense. All portions of this section referring to the revision of the Assessor's plats, and to preparing the military roll, shall take effect from and after the passage of this Act."

Adopted.

COMMITTEE AMENDMENT No. 46.

Amend by striking out of Section 191, line 14, the word "four," and inserting the following: "one"

Adopted.

COMMITTEE AMENDMENT No 46½.

Amend by striking out of Section 191 lines 20, 21, and 22, and inserting the following: "The Superintendent of Schools, one thousand two hundred dollars per annum, including services on the Board of Education He shall be allowed his actual traveling expenses when visiting the schools of his county, which expenses shall not exceed the sum of five hundred dollars in any one year. In the event that said Superintendent of Schools shall appoint a deputy, or commissioner of schools, the same shall be at his own cost and expense."

Adopted.

COMMITTEE AMENDMENT No. 47.

Amend by striking out of Section 191 all of lines 29, 30, and 31, and inserting the following:

15. Supervisors, each the sum of six hundred dollars per annum for all services performed by them as Supervisors and members of the Board of Equalization and road commissioners, including mileage; *provided*, that each Supervisor shall receive ten cents for each mile traveled by the ordinary route, in going from his residence to the county seat and returning, once during each meeting. Each Supervisor shall be allowed his actual expenses while supervising the roads of his district, not exceeding ten dollars *in any one month*.

This Act, so far as it relates to the compensation of Supervisors, and to their compensation as road commissioners in counties of the thirty-fourth class, shall take effect immediately after its passage.

16. The official reporter of the Superior Court in counties of the thirty-fourth class shall receive as full compensation for taking notes when his services are demanded in civil cases, and in criminal cases tried in said court, and when requested by a Justice of the Peace, Coroner, or District Attorney in preliminary examinations, or inquests, and for all services other than transcribing testimony during the taking of such testimony at trial in the Superior Court, a salary of one thousand five hundred dollars per annum, payable in equal monthly installments out of the county treasury at the same time and in the same manner as the salaries of county officers. He shall also be allowed his actual traveling expenses when reporting outside of the county seat.

When the services of the reporter are demanded in any civil matter, there shall be taxed as costs in the case eight dollars per diem for each day of the trial thereof, to be *paid to the clerk of the court in advance, one half by each side; for transcription* of said notes in civil cases, when required, there shall be paid to the clerk of said court, by the party demanding the same, and prior to the delivery of such transcript, ten cents per folio of one hundred words for the original and five cents per folio for copy. Where the reporter is required to transcribe the whole or any part of the testimony during the taking of testimony in the Superior Court, he shall be entitled to receive and retain, for his own use, fifteen cents per folio for the original, and seven and one half cents per folio for each copy. Said compensation to be paid for, in civil cases, by the party ordering the same, and in criminal cases, together with said traveling expenses, to be audited and allowed by the Board of Supervisors as other claims against the county, and paid out of the county treasury. All fees for transcribing in civil cases, other than that at the taking of testimony, together with said per diem fees so collected, shall be paid into the county treasury on the first Monday of each month.

This Act, so far as it relates to the service and compensation of said official reporters, shall take effect immediately after its passage.

Adopted.

By Mr. Elliott:

Amend as amended by inserting in Section 191, line 7, after the word "annum," the following: "and fees, commissions, and mileage for the service of papers or process coming from courts other than those of his own county."

Adopted.

Also: Amend as amended by inserting in Section 191, line 24, after the word "dollars," the following: "per annum"; also, strike out in line 24 the word "six," and insert the word "eight."

Adopted.

Also: Amend as amended by striking out of Section 191, line 30, the words "one hundred."

Adopted.

Also: Amend as amended by striking out of Section 191, lines 68, 69, and 70, the words "and for all services other than transcribing testimony during the taking of such testimony at trial in the Superior Court."

Adopted.

Also: Amend as amended by inserting in Section 191, line 80, after the word "in" and before the word "civil," the following: "criminal cases and in."

Adopted.

Also: Amend as amended by striking out of Section 191, lines 80, 81, and 82, the words "there should be paid to the clerk of said court, by the party demanding the same, and prior to the delivery of such transcript," and inserting the following: "said reporter shall receive not to exceed."

Adopted.

Also: Amend as amended by inserting in Section 191, line 87, after the word "use," the following: "not to exceed."

Adopted.

Also: Amend as amended by striking out of Section 191, lines 93, 94, and 95, the words "fees for transcribing in civil cases other than that at the taking of testimony, together with said," and inserting after the word "collected," in line 95, the following: "by the clerk."

Adopted.

By Mr. Goodhue:

Amend by striking out of Section 192, line 5, the word "two," and inserting in lieu thereof the word "three," and by striking out the words "five hundred," in the same line.

Adopted.

Also: Amend by striking out of Section 192, lines 6, 7, and 8, the words of subdivision 1, by striking out all of said subdivision following the word "annum," in line 6 of said subdivision.

Adopted.

Also: Amend Section 192, line 12, by inserting after the word "thousand," the words "five hundred."

Adopted.

Also: Amend by striking out of Section 192, line 17, the word "one," and inserting the word "two" in lieu thereof, also, strike out of line 17 the words "eight hundred."

Adopted.

Also: Amend by striking out of Section 192, line 19, the word "three," and inserting the word "four" in lieu thereof; also, by striking out the words "five hundred" in line 19.

Adopted.

COMMITTEE AMENDMENT No. 48.

Amend by striking out of Section 193, subdivision 1, all after "County Clerk" and insert the following: "two thousand and forty dollars per annum."
Subdivision 2. Strike out "five" and insert the word "four"
Subdivision 3. Strike out the words "two thousand" and insert "one thousand six hundred and forty."
Subdivision 4. Strike out "one thousand" and insert "eight hundred and twenty"
Subdivision 5. Strike out "two thousand" and insert "one thousand and five hundred."
Subdivision 6. Strike out "one thousand" and insert "five hundred."
Subdivision 7. Strike out "three thousand" and insert "two thousand."
Subdivision 8. Strike out "two thousand" and insert "one thousand five hundred"
Subdivision 11. Strike out "eight" and insert "five," in line 20.

Adopted.

COMMITTEE AMENDMENT No. 49.

Amend by striking out of Section 193, subdivision 15, line 30, after the word "session," and inserting the following: "and mileage at the rate of ten cents per mile for traveling to and from his residence to the county seat once each session. For services as road commissioner, three hundred dollars per annum."

By Mr. Houghton:

Amend the committee amendment of Section 193 by striking out of subdivision 15, lines 36 and 37, the words "three hundred dollars per annum," and inserting the following after the word "commissioner": "three dollars per day while engaged as such commissioner; *provided, however*, the amount so allowed as such commissioner shall not exceed three hundred dollars in any one year."

Adopted.
Committee amendment, as amended, adopted.

COMMITTEE AMENDMENT No. 50.

Amend by striking out of Section 194, line 33, the word "four," and inserting the following: "five."

Adopted.

COMMITTEE AMENDMENT No. 51.

Amend Section 195 by adding a new subdivision to be numbered 16: "The compensation herein provided for Constables shall take effect immediately and affect incumbents."

Adopted.
By Mr. Canavan:

Amend by striking out of Section 195, line 36, the word "four," and inserting the following: "five."

Adopted.

COMMITTEE AMENDMENT No. 52.

Amend Section 196, line 9, by adding the following words: "Also, his actual traveling expenses in the execution of a warrant outside of his county issued by a magistrate or court of his county."

Adopted.

COMMITTEE AMENDMENT No. 53.

Amend by striking out of Section 196, subdivision 12, after the word "Surveyor," on line 28, the word "nine," and inserting the word "fifteen" in lieu thereof.

Adopted.

COMMITTEE AMENDMENT No. 54.

Amend by striking out of Section 196 all of subdivisions 13 and 14, and inserting the following:

13. Justices of the Peace, such fees as are now or may hereafter be allowed by law; *provided*, that the fees for services rendered in criminal cases, and which are chargeable against the county, shall not exceed in the aggregate for any one month thirty-five dollars; *provided*, that this provision shall not affect their right to collect fees for services rendered as Coroner, when acting as such

14 Constables, such fees as are now or may hereafter be allowed by law; *provided*, that the fees for services rendered in criminal cases, and which are chargeable against the county, shall not exceed in the aggregate for any one month sixty dollars; *provided, also*, that he shall be paid by the county his actual and necessary expenses incurred in conveying prisoners to the county jail, *provided further*, that he be allowed his actual and necessary expenses incurred in executing any warrant outside of his county issued by a magistrate or justice of his county, not to exceed in the aggregate a sum equal to ten cents per mile necessarily traveled outside of his county in the execution of such warrant. The items of expense herein provided which may be allowed Constables shall not be charged to him in making up the maximum fees which he may collect from the county in criminal proceedings.

Adopted.

COMMITTEE AMENDMENT No. 55.

Amend Section 196, line 86, by inserting before the word "Justices" the word "Surveyor."

Adopted.

COMMITTEE AMENDMENT No. 56.

Amend by striking out of Section 196 all of lines 89, 90, 91, and 92.

Adopted.

COMMITTEE AMENDMENT No. 57.

Amend Section 197, line 23, subdivision 14, by adding after the word "law" the following: "*provided*, that Constables of townships containing three thousand inhabitants, or more, shall be allowed as additional compensation a salary of thirty dollars per month, payable at the same time and in the same manner as the salaries of other county officers are paid."

Adopted.

COMMITTEE AMENDMENT No. 58.

Amend by striking out of Section 197, line 11, the word "twelve," and inserting the following: "fourteen."

Adopted.

COMMITTEE AMENDMENT No. 59.

Amend by striking out of Section 197, line 37, the word "ten," and inserting the following: "five."

Adopted.

COMMITTEE AMENDMENT No. 60.

Amend Section 197, line 9, by inserting the following, after the word "annum" "and ten per cent of all licenses collected by him."

Adopted.

COMMITTEE AMENDMENT No. 61.

Amend by striking out of Section 197, line 36, the word "fifteen," and inserting the following: "ten."

Adopted.

COMMITTEE AMENDMENT No. 62.

Amend by striking out of Section 198, line 5, the word "four," and inserting "two."

Adopted.

COMMITTEE AMENDMENT No. 63.

Amend by striking out of Section 198, line 7, the words "five hundred."

Adopted.

COMMITTEE AMENDMENT No. 64.

Amend by striking out of Section 198, line 8, the word "eight," and inserting the word "five," and also by inserting after the word "annum," in line 9, the following: "*provided*,

that such Recorder shall collect and pay into the county treasury, for the use and benefit of the county, the fees required by law to be so collected; *and provided*, that when the amount of said fees collected shall exceed two hundred dollars in any month, the Recorder may receive and retain for his own use, in addition to his salary, one half of all fees in excess of two hundred dollars in any month so collected. But the amount of fees thus received by the Recorder for his own use, plus his salary, shall not exceed the sum of two thousand dollars in any one year."

Adopted.

COMMITTEE AMENDMENT No. 65.

Amend by striking out of Section 198, line 10, the word "eight," and inserting the following word: "six."

Adopted.

COMMITTEE AMENDMENT No. 66.

Amend by striking out of Section 198, line 14, the words "two hundred."

Adopted.

COMMITTEE AMENDMENT No. 67.

Amend by striking out of Section 198, line 16, the words "three thousand," and inserting the following: "two thousand four hundred dollars per annum; *provided*, that the Assessor shall annually revise the plats in his office and prepare the military roll at his own cost and expense.

"All portions of this section referring to the revision of the Assessor's plats, and to the preparing the military roll, shall take effect from and after the passage of this Act."

Adopted.

COMMITTEE AMENDMENT No. 68.

Amend by striking out of Section 198, line 17, the words "two thousand," and inserting the following: "one thousand eight hundred."

Adopted.

COMMITTEE AMENDMENT No. 69.

Amend by striking out of Section 198 all of lines 22, 23, and 24, and inserting the following: "The Superintendent of Schools, one thousand four hundred dollars per annum, including services on the Board of Education. He shall be allowed his actual traveling expenses when visiting schools of his county, which expenses shall not exceed the sum of three hundred dollars in any one year."

Adopted.

COMMITTEE AMENDMENT No. 70.

Amend by striking out of Section 198 all of lines 31, 32, and 33, and inserting the following:

15. Supervisors, each six hundred dollars per annum for all services performed by them as Supervisors, and members of the board of equalization, and road commissioners, including mileage; *provided*, that each Supervisor shall receive ten cents for each mile traveled by the ordinary route in going from his residence to the county seat and returning once, during each meeting. Each Supervisor shall be allowed his actual traveling expenses while supervising the roads of his district, not exceeding ten dollars in any one month. This Act, so far as it relates to the compensation of Supervisors, and to their compensation as road commissioners in counties of the forty-first class, shall take effect immediately after its passage.

16. The official reporter of the Superior Court in counties of the forty-first class shall receive, as full compensation for taking notes when his services are demanded in civil cases, and in all criminal cases tried in said court, and when requested by a Justice of the Peace, Coroner, or District Attorney in preliminary examinations, or inquests, and for all services other than transcribing testimony during the taking of such testimony at trial in the Superior Court, a salary of one thousand two hundred dollars per annum, payable in equal monthly installments out of the county treasury at the same time and in the same manner as the salaries of county officers. He shall also be allowed his actual traveling expenses when reporting outside of the county seat. When the services of the reporter are demanded in any civil matter, there shall be taxed as costs in the case eight dollars per diem, for each day of the trial thereof, to be paid to the clerk of the court, in advance, one half by each side; for transcription of said notes in civil cases, when required, there shall be paid to the clerk of said court, by the party demanding the same, and prior to the delivery of such transcript, ten cents per folio of one hundred words for the original and five cents per folio for copy. Where the reporter is required to transcribe the whole or any part of the testimony during the taking of testimony in the Superior Court, he shall be entitled to receive and retain for his own use fifteen cents per folio for the original and seven and one half cents per folio for each copy, said compensation to be paid for, in civil cases, by the party ordering the

same, and in criminal cases, together with said traveling expenses, to be audited and allowed by the Board of Supervisors as other claims against the county, and paid out of the county treasury. All fees for transcribing in civil cases, other than that at the taking of testimony, together with said per diem fees collected, shall be paid into the county treasury on the first Monday of each month. This Act, so far as it relates to the services and compensation of said official reporter, shall take effect immediately after its passage.

Adopted.

By Mr. Elliott:

Amend as amended by inserting in Section 198, line 7, after the word "annum," the following: "and fees, commissions, and mileage for the service of papers or process coming from courts other than those of his own county."

Adopted.

Also: Amend as amended by striking out of Section 198, line 24, the word "four," and inserting the following: "six"; also, strike out of line 29 the word "the" between the words "two" and "preparing."

Adopted.

Also: Amend as amended by striking out of Section 198, lines 65, 66, and 67, the words "and for all services other than transcribing testimony during the taking of such testimony at trial in the Superior Court."

Adopted.

Also: Amend as amended by inserting in Section 198, line 76, after the word "notes," and before the word "in," the following: "in criminal cases and."

Adopted.

Also: Amend as amended by striking out of Section 198, lines 77, 78, and 79, the words "There shall be paid to the clerk of said court, by the party demanding the same and prior to the delivery of such transcript," and inserting the following: "Said reporter shall receive not to exceed."

Adopted.

Also: Amend as amended by inserting in Section 198, line 83, between the words "use" and "fifteen," the following: "not to exceed."

Adopted.

Also: Amend as amended by striking out of Section 198, lines 89, 90, and 91, the words "fees for transcribing in civil cases, other than at the taking of testimony, together with said," and inserting after the word "fees," in line 91, the following: "so"; also, after the word "collected," in line 91, insert the following: "by the clerks."

Adopted.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Austin:

Resolved, That the Engrossing Clerk be and is hereby authorized to appoint one assistant, at a per diem of $5.

Adopted.

By Mr. Kelsey:

Resolved, That the Enrolling Clerk be authorized to appoint an additional Assistant Enrolling Clerk, at the same per diem as is paid other Assistant Enrolling Clerks.

Adopted.

APPOINTMENTS.

Pursuant to resolution adopted by the Assembly this day, I hereby appoint F. E. Clarke Assistant Engrossing Clerk, at $5 per diem.

FRANK BARNETT, Engrossing Clerk.

In accordance with resolution passed by the House this day, authorizing me to appoint an Assistant Enrolling Clerk, I hereby appoint Frank Armstrong as such assistant.

JOHN VARCOE, Enrolling Clerk.

MOTION.

Mr. Price moved that the constitutional provision be suspended and that he be allowed to introduce a bill.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clark, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Foreman, Gately, Goff, Guy, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Kenyon, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Power of Placer, Price, Rubell, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, and Vosburg—57.

NOES—Messrs. Anderson, Godfrey, and Landsborough—3.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Price: Assembly Bill No. 984—An Act making an appropriation to pay for the expenses incurred by Assembly Concurrent Resolution No. 6—appointing a joint committee of the Senate and Assembly to investigate the affairs of the State Printing Office.

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

RECESS.

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

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

Mr. North, of Alameda, moved that the rules be suspended, and he be allowed to take up Assembly Concurrent Resolution No. 10.

So ordered.

ASSEMBLY CONCURRENT RESOLUTION No. 10.

Concurrent resolution directing the State Printer to print thirty thousand copies of Assembly Concurrent Resolution No. 9, relative to welcome of Christian Endeavor International Convention to be held in San Francisco, July, 1897, and for the distribution thereof.

WHEREAS, There has been adopted Assembly Concurrent Resolution Number Nine, extending to the Society of Christian Endeavor a welcome to the State of California, upon the occasion of their sixteenth annual international convention, to be held in the City of San Francisco, July seventh to twelfth, eighteen hundred and ninety-seven; and

WHEREAS, It is believed to be for the best interest of the people of the State of California that a sufficient number of copies of said resolution be published in suitable form, to afford an opportunity to place a copy thereof in the hands of each visitor to the State upon the occasion of such convention; therefore, be it

Resolved by the Assembly, the Senate concurring therein, That the State Printer be and he is hereby directed to prepare and publish in the form of a booklet, journal page size, on coated book paper of sixty to eighty pounds per ream, thirty thousand copies of Assembly Concurrent Resolution Number Nine, relative to welcome to the Christian Endeavor societies to the State of California, upon the occasion of their sixteenth annual international convention, to be held in the City of San Francisco, July seventh to twelfth, eighteen hundred and ninety-seven, and that the State Printer use in publishing such resolution as aforesaid, such half-tone or other picture plates of public buildings and other notable features of the State as are indicated in such resolution; *provided*, such half-tone or other picture plates are either now owned by the State or are furnished free of cost for use by the State Printer for this purpose; such publication to be paid for out of the Contingent Fund of the Assembly, and the Controller is hereby authorized to draw a warrant in favor of the State Printer in payment therefor; and that when completed, the said copies of such resolution in booklet form shall be distributed as follows: to the Secretary of State, for distribution to members of the Legislature, State officers, and such others as he may deem proper, five hundred copies;

to the executive committee of the International Christian Endeavor Convention, San Francisco, twenty-nine thousand five hundred copies.

Resolution adopted.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1897.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 872—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in the State.

AUSTIN, Chairman.

SENATE SPECIAL FILE.

Senate Bill No. 392—An Act to amend Section 499 of the Civil Code, relating to street railways operated under different managements.

Mr. Dibble moved to amend by striking out the enacting clause.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Cutter, Cross, and Jones.

The question being, "Shall the main question be now put?"

So ordered.

Amendment adopted.

MOTION.

Mr. North moved to take up Assembly Bill No. 872 and consider it at this time.

So ordered.

Assembly Bill No. 872—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in 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. Aldridge, Allen, Anderson, Bettman, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Damon, Dibble, Dryden, Emmons, Ennis, Fontana, Foreman, Goff, Goodhue, Harris, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, Pohlmann, Power of Placer, Power of San Francisco, Rubell, Sanford, Shanahan, Soward, Strain, Treacy, Vosburg, and Mr. Speaker—53.

NOES—None.

Title read and approved.

MOTION.

Mr. Caminetti moved that the Assembly do now take up Senate Bill No. 136.

So ordered.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 136—An Act to establish a uniform system of county and township governments.

Mr. Shanahan moved to reconsider the vote by which his amendment to Section 25, subdivision 4, was adopted.

So ordered.

COMMITTEE AMENDMENT No. 12.

Amend by striking out of Section 25, line 40, the words "to be appointed by such board," and inserting the following: "to be elected by the voters of such district, or

selected by the road trustees of such district, and such election shall be held every two years, on the first Monday in April, in the same manner as school elections are held"

Amendment lost.

Mr. Boone moved that the vote by which the amendment to Section 170, subdivision 15, was adopted, be reconsidered.

So ordered.

Amend printed bill by striking out of Section 170, line 49, the words "one thousand," and inserting the following in lieu thereof: "twelve hundred."

Amendment lost.

The following committee amendments were submitted to Senate Bill No. 136:

COMMITTEE AMENDMENT No. 71.

Amend by striking out of Section 199, line 5, the word "six," and inserting the following word: "two"

Adopted.

COMMITTEE AMENDMENT No. 72.

Amend by striking out of Section 199 all of lines 8, 9, 10, and 11—the words "the Sheriff shall also receive for his own use and benefit all fees, commissions, and mileage in all civil cases within his county, and all fees, commissions, and mileage for services of any papers issued by any court outside of his county."

Adopted.

COMMITTEE AMENDMENT No. 73.

Amend by striking out of Section 199, line 14, the words "one thousand," and inserting the following: "nine hundred."

Adopted.

COMMITTEE AMENDMENT No. 74.

Amend by striking out of Section 199, line 20, the word "five," and inserting the following: "two."

Adopted.

COMMITTEE AMENDMENT No. 75.

Amend by striking out of Section 199, lines 28 and 29, the words "and he shall receive no extra compensation for his service on the Board of Education."

Adopted.

COMMITTEE AMENDMENT No. 76.

Amend by striking out of Section 199, line 11, the words "two thousand," and inserting the following: "one thousand eight hundred."

Adopted.

COMMITTEE AMENDMENT No. 77.

Amend Section 200 to read as follows:

SEC. 200. In counties of the forty-third class the county officers shall receive, as compensation for the services required of them by law or by virtue of their office, the following salaries, to wit:

1. The County Clerk, six hundred dollars per annum, and such fees as are now or may be hereafter allowed by law.
2. The Sheriff, thirty-five hundred dollars per annum, and one jailer, at a salary of nine hundred dollars per annum.
3. The Recorder, six hundred dollars per annum, and six cents per folio for every instrument of any character transcribed by him or any of his deputies, which said amounts shall be paid out of the county treasury.
4. The Auditor, seven hundred dollars per annum.
5. The Treasurer, one thousand dollars per annum.
6. The Tax Collector, eight hundred dollars per annum.
7. The Assessor, eighteen hundred dollars per annum.
8. The District Attorney, eighteen hundred dollars per annum.
9. The Coroner, such fees as are now or may hereafter be provided by law.
10. The Public Administrator, such fees as are now or may hereafter be allowed by law.
11. The Superintendent of Schools, twelve hundred dollars per annum.
12. The Surveyor, such fees as are now or may hereafter be allowed by law.
13. Justices of the Peace, such fees as are now or may hereafter be allowed by law.

14. Constables, such fees as are now or may hereafter be allowed by law; *provided*, that no Constable shall receive for any one month for the arrest of vagrants more than thirty dollars.

15. Each Supervisor shall receive for compensation, five dollars per day for all services performed as Supervisor and member of the board of equalization, not to exceed the sum of four hundred dollars per annum; also, three dollars per day for each day actually engaged in performing the duties of road commissioner, not to exceed three hundred dollars per annum.

Adopted.

By Mr. McClellan:

Amend the committee amendment by striking out of Section 200 all of subdivision 14, and inserting the following:

14. Constables, such fees as are now or may be hereafter allowed by law; *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 nine hundred dollars for any one year.

Adopted.

Also: Amend committee amendment by striking out of Section 200 all of subdivision 2, and inserting the following: "The Sheriff shall receive forty-four hundred dollars per annum."

Adopted.

Also: Amend the committee amendment by striking out of Section 200 all of subdivision 13, and inserting the following:

13 The Justices of the Peace, such fees as are now or may hereafter be allowed by law; *provided*, that the fees and compensation of any Justice of the Peace in criminal cases or proceedings to which the people of the State of California are or may be made a party, shall not exceed nine hundred dollars for any one year.

Adopted.

Also: Amend committee amendment by striking out of Section 200, line 11, the words "twelve hundred dollars per annum," and inserting the following: "fifteen hundred dollars per annum for all services performed as School Superintendent and member of the board of education."

Adopted.

Also: Amend committee amendment by striking out of Section 200, subdivision 7, the word "eighteen," after the word "Assessor," and inserting the following: "twenty-two."

Adopted.

COMMITTEE AMENDMENT No. 78.

Amend by striking out of Section 202, line 12, the word "twelve," and inserting the following: "fifteen."

Adopted.

COMMITTEE AMENDMENT No. 79.

Amend Section 202, line 10, by inserting, after the words "per annum," the following: "*provided*, there shall be no consolidation of this office with that of Treasurer or Sheriff until after the next general election."

Adopted.

COMMITTEE AMENDMENT No. 79½.

Amend by striking out of Section 202 all of subdivision 16, and inserting the following:

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, and for preliminary examinations in Justices' Courts, 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; *provided*, that in any one year the reporter shall not receive more than eighteen hundred dollars for services as such reporter.

Adopted.

By Mr. Cartwright:

Amend committee amendment by striking out of Section 202, line 40, the words "seventy-five," and inserting the following: "fifty."

Adopted.

COMMITTEE AMENDMENT NO. 80.

Amend by striking out of Section 204, line 6, the words "with same," and all of line 7, and inserting the following: "and the fees or commissions for the service of all papers issued by any court of the State outside of his county; also, his actual and necessary traveling expenses in the execution of a warrant outside of his county issued by a court or magistrate of his county."

Adopted.

COMMITTEE AMENDMENT NO. 81.

Amend by striking out of Section 204 all of subdivisions 13 and 14, and inserting the following:

13. Justices of the Peace, such fees as are now or may be hereafter allowed by law; *provided*, that the fees for service rendered in criminal cases and which are chargeable against the county, shall not exceed in the aggregate in any one month thirty-five dollars; *provided*, this provision shall not affect their right to collect fees as Coroner when acting as such.

14. Constables, such fees as are now or may hereafter be allowed by law; *provided*, that the fees for services rendered in criminal cases and which are chargeable against the county, shall not exceed in the aggregate in any one month the sum of sixty dollars; *provided, also*, that he shall be paid by the county his actual and necessary expenses incurred in conveying prisoners to the county jail; *provided further*, that he be allowed his actual and necessary expenses incurred in executing any warrant outside of his county issued by a magistrate or justice of his county, not to exceed in the aggregate a sum equal to ten cents per mile necessarily traveled outside of his county in the execution of such warrant. The items of expense herein provided which may be allowed Constables shall not be charged to him in making up the maximum fees which he may collect in criminal proceedings.

Adopted.

COMMITTEE AMENDMENT NO. 82.

Amend by striking out of Section 204, lines 78 and 79, the words "same as thirty-ninth class," and inserting the following: "five dollars per day, while in the service of the county, and mileage at the rate of twenty cents per mile for traveling from residence to county seat."

Adopted.

COMMITTEE AMENDMENT NO. 83.

Amend by striking out of Section 205, line 36, after the word "Supervisors," the following:

16. The reporters, whether official or appointed for any particular case or proceeding, shall receive for his own use such fees as may be allowed by the Superior Court, when reporting therein or transcribing therefor, and such fees as may be allowed by the Supervisors for reporting in longhand or shorthand at preliminary examinations or otherwise.

This Act shall take effect immediately as to Justices of the Peace, Constables, and reporters.

Adopted.

COMMITTEE AMENDMENT NO. 84.

Amend by striking out of Section 206, line 32, after the word "Supervisors," the following:

16. The reporters, whether official or appointed for any particular case or proceeding, shall receive for his own use such fees as may be allowed by the Superior Court, when reporting therein or transcribing therefor, and such fees as may be allowed by the Board of Supervisors for reporting in longhand or shorthand at preliminary examinations or otherwise

This Act shall take effect immediately as to Justices of the Peace, Constables, and reporters.

Adopted.

By Mr. Soward:

Amend the committee amendment by striking out of the amendment to Section 205, line 42, the word "otherwise," and inserting the following: "inquests. Such fees to be collected from the parties in the proportion ordered by the court in civil cases, and to be paid by the county in criminal cases and proceedings.

"17. The license collector, such compensation as the Board of Supervisors shall fix."

Adopted.

Also: Amend the committee amendment by striking out of the amendment to Section 206, line 38, the word "otherwise," and inserting the following: "inquests. Such fees to be collected from the parties in the proportion ordered by the court in civil cases, and to be paid by the county in criminal cases and proceedings.

"17. The license collector, such compensation as the Board of Supervisors shall fix."

Adopted.

COMMITTEE AMENDMENT NO. 85.

Amend by striking out of Section 207 all of subdivision 16 of said section.

Adopted.

COMMITTEE AMENDMENT NO. 86.

Amend Section 208 by substituting the following therefor:

SEC. 208. In counties of the fifty-first class, the county officers shall receive, as compensation for the services required of him by law or by virtue of their offices, the following salaries, to wit:

1. The County Clerk, twelve hundred dollars per annum.
2. The Sheriff, two thousand dollars per annum.
3. The Recorder, six hundred and forty dollars per annum.
4. The Auditor, three hundred and twenty dollars per annum
5. The Treasurer, six hundred and forty dollars per annum.
6. The Tax Collector, eight hundred dollars per annum.
7. The Assessor, twelve hundred dollars per annum.
8. The District Attorney, nine hundred and sixty 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 and sixty 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.
14. Constables, such fees as are now or may be hereafter allowed by law
15. Each Supervisor, two hundred and fifty dollars per annum, and mileage, twenty-five cents per mile, one way only.

Adopted.

COMMITTEE AMENDMENT NO. 87.

Amend by inserting in Section 209, line 32, after the word "county seat," the following:

16. The reporter, whether official or appointed for any particular case or proceeding, shall receive for his own use such fees as may be allowed by the Superior Court, when reporting therein or transcribing therefor, and such fees as may be allowed by the Supervisors for reporting in longhand or shorthand at preliminary examinations or inquests.

This Act shall take effect immediately as to Justices of the Peace, Constables, and reporters.

Adopted.

By Mr. Soward:

Amend the committee amendment by striking out of the amendment to Section 209, line 38, the word "otherwise," and inserting the following: "inquests. Such fees to be collected from the parties in the proportion ordered by the court in civil cases, and to be paid by the county in criminal cases or proceedings.

"17. The license collector, such compensation as the Board of Supervisors shall fix"

Adopted.

By Mr. Clarke:

Amend by striking out of Section 215, lines 34 and 35, the words "such counties and cities and counties of the first class," and inserting the following: "cities and counties of the first class and counties of the second class"

Adopted.

COMMITTEE AMENDMENT No 88.

Amend Section 212, lines 25 and 26, by striking out the words "same as at present." and inserting the following: "three hundred dollars per annum, and twenty cents per mile in traveling from his residence to the county seat, going only; *provided*, that only one mileage shall be allowed for any regular session of the board."

Adopted.

COMMITTEE AMENDMENT No. 89.

Amend by striking out of Section 215, lines 69, 70, 71, the following: "The Sheriff may retain for his own use the mileage for the service of papers issued by any court of the State outside of his county."

Lost.

COMMITTEE AMENDMENT No. 90.

Amend Section 227, line 6, by striking out the word "swearing," and inserting "securing"

Adopted.

COMMITTEE AMENDMENT No. 91.

Amend by inserting the following in line 4, Section 233, after the word "salary": "or heretofore paid or fixed salary and commissions."

Adopted.

By Mr. Landsborough:

Amend by striking out of Section 229, line 4, the word "Monday."

Lost.

By Mr. Anderson:

Amend by striking out of Section 228, line 4, all of subdivision 2, and inserting the following in lieu thereof: "the traveling and other personal expenses of the District Attorney, incurred in criminal cases arising in the county."

Lost.

By Mr. Ryan:

Amend Senate Bill No. 136 by adding a new section thereto, to be numbered Section 232, and to read as follows:

SEC. 232. Within thirty days after the passage of this Act the State Board of Examiners shall meet and determine upon a voting machine to be used at all elections within this State, and shall immediately thereafter notify each Board of Supervisors, Board of Trustees, or other governing body of the various towns, counties, cities, and cities and counties within this State, of such selection, which machine so determined upon shall thereupon become the official voting machine of this State.

Lost.

By Mr. Soward:

Amend by striking out of Section 61 all of lines 1 and 2, and the words "urer and District Attorney," in line 3, page 35, and inserting the following: "The Sheriff, Clerk, Recorder, Auditor, Treasurer, and District Attorney."

Lost.

By Mr. Goff:

Amend Section 167 by striking out all of subdivision 11, and inserting in lieu thereof the following: "The Superintendent of Schools for full services, including attendance on the County Board of Education, one thousand five hundred dollars and actual traveling expenses."

Adopted.

By Mr. Ryan:

Amend Section 4, on page 2, by adding after line 9 a new subdivision to be known as subdivision No. 6 thereof, and to read as follows: "shall have power to provide, purchase, and use balloting or voting machines of a uniform kind, character, and manufacture, as shall be determined upon by law."

Lost.

By Mr. Emmons:

Amend by striking out of Section 182, line 5, the word "six," and inserting the following: "five."

Adopted.

Also: Amend by striking out of Section 182, line 10, the words "two thousand," and inserting the following: "sixteen hundred."

Adopted.

Also: Amend by striking out of Section 182, line 12, the words "twenty-four hundred," and inserting the following: "two thousand."

Adopted.

Also: Amend by striking out of Section 182, line 13, the words "twenty-four hundred," and inserting the following: "two thousand"

Adopted.

Also: Amend by striking out of Section 182, line 15, the word "six," and inserting the following: "five"

Adopted.

Also: Amend by striking out of Section 182, line 23, the words "twenty-four," and inserting the following: "eighteen."

Adopted.

Also: Amend by striking out of Section 182, line 49, the word "office," and in line 50 the word "eight," and inserting the following: "June," on line 49, and "7" on line 50.

Adopted.

By Mr. Burnett:

Amend by striking out of Section 176, line 28, the words "Board of Supervisors," and inserting the following: "Assessors."

Adopted.

By Mr. Bridgford:

Amend Section 196, line 81, by inserting the following at the end of line 81: "in attendance upon a regular session of the board."

Adopted.

Also: Amend by striking out of Section 196, line 41, the words "thirty-five," in proposed amended printed bill, and inserting the following: "sixty."

Adopted.

Also. Amend by striking out of Section 196, lines 79 and 80, the words "in the service of the county," and inserting the following. "attending sessions of the board, and while engaged in the performance of the duties of road commissioners."

Adopted.

Also: Amend by striking out of Section 204, line 11, the word "which"; also, all of lines 12 and 13.

Adopted.

Also: Amend Section 203, line 40, by inserting the following at the end of line 40: "so far as it relates to the compensation or salary of such officers of counties of the forty-sixth class."

Adopted.

Also: Amend by striking out of Section 204, line 52, the words "in the service of the county" (of proposed amended printed bill), and inserting the following: "attending sessions of the board, and while engaged in the performance of the duties of road commissioners."

Adopted.

Also: Amend the amendment by inserting the following at the end of line 54 of proposed amended printed bill: "in attendance upon a regular session of the board."

Adopted.

Also: Amend by striking out of Section 204, line 33, in proposed amended printed bill, the words "thirty-five," and inserting the following: "sixty."

Adopted.

Also: Amend by inserting in Section 228, line 76, of the amended printed bill, the following: "and in civil actions or proceedings, and in any matter or thing in which the county or the State are interested."

Adopted.

By Mr. Cutter:

Amend Section 25, line 374, by inserting the following: "by ordinance annually," after the words "to license."

Lost.

By Mr. Clarke:

Amend Section 25, line 40, by inserting after the word "districts" the following. "whose compensation shall not be more than three dollars nor less than two dollars per day when actually employed, shall be elected by the electors thereof on the last Saturday in May in each year in the manner provided by law for the election of school trustees, and shall hold office for the term of one year from the first day of July next succeeding their election; *provided*, that vacancies in said office shall be filled by appointment by the Board of Supervisors for the unexpired term, upon petition of at least one tenth of the electors of the district; *provided further*, that if hereafter the duties of the road overseer shall be conferred by law upon a board of road district trustees or other similar body, the office of road overseer shall thereupon terminate and thereafter cease to exist. Road overseers subject to the general supervision of the Board of Supervisors."

Adopted.

By Mr. Toland:

Amend by adding to Section 25, line 41, after the word "roads," the following: "*provided further*, that no road overseer shall receive in any one year more than three hundred dollars"

Adopted.

By Mr. Boone:

Amend by striking out of Section 170 all of subdivision 2, and inserting in lieu thereof the following:

2 The Sheriff, six thousand five hundred dollars per annum, and mileage for the service of any and all processes required by law to be served by him, at the rate of ten cents per mile for every mile necessarily traveled in the performance of such duty.

Adopted.

By Mr. Elliott:

Amend by inserting in Section 54, at the end of line 9, the words "*and provided further*, that no person shall hereafter be eligible to the office of District Attorney who has not been admitted to practice in the Supreme Court of the State of California."

Adopted.

By Mr. McCandlish:

Amend by inserting in Section 65, line 5, between the words "deputy" and "shall," the words "except District Attorneys and Treasurers."

Adopted.

By Mr. Fontana:

Amend by adding to Section 188, end of subdivision 15, the following. "*provided*, that in case the said Supervisors shall not serve as road commissioners, then the salary for Supervisor shall be four hundred dollars per annum."

Adopted.

Senate Bill No. 136—An Act to establish a uniform system of county and township governments.

Read second time, ordered to printer, reëngrossment, and third reading.

MOTION.

Mr. Dibble moved that all special orders for this morning be continued and made special orders for to-morrow morning.

So ordered.

SPECIAL URGENCY FILE.

Assembly Bill No. 952—An Act to amend an Act entitled "An Act to create the County of Ventura, to establish the boundaries thereof, and to provide for its organization," approved March 22, 1872, by amending Section 2 thereof, so as to include the whole of the Rancho Conejo within the County of Ventura.

Read second time, and ordered engrossed and to third reading.

PETITION—(OUT OF ORDER).

By Mr. Dryden: From citizens of San Francisco petitioning the Legislature to pass Assembly Bill No. 647 and Senate Bill No. 353, relative to creating a board of examiners for the California State Therapeutic College.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 647—An Act to provide for the establishment of a board of examiners for the California State Therapeutic Society and College.

Read third time.

Mr. Keables moved to amend by striking out the enacting clause.

Amendment adopted.

Assembly Bill No. 312—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 passed by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Bettman, Breiling, Bridgford, Burnett, Burnham, Canavan, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Ennis, Fontana, Gately, Goff, Goodhue, Guy, Harris, Henry, Hudson, Jones, Keegan, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Melick, Moultrie, McClellan, McGrath, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Sanford, Sims, Soward, Strain, Toland, Vosburg, Waymire, and Mr. Speaker—52.

NOES—Mr. North of Yolo—1.

Title read and approved.

Senate Bill No. 4—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, and State of California, and to make an appropriation 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. Aldridge, Allen, Anderson, Arnerich, Austin, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryde

Emmons, Ennis, Fontana, Foreman, Goff, Goodhue, Guy, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Toland, Vosburg, and Waymire—57.

NOES—Mr. Boone—1.

Title read and approved.

At four o'clock and fifteen minutes P. M., the Speaker called Mr. Shanahan to the chair.

Assembly Bill No. 553—An Act to provide for the survey and construction of a wagon road from Tallac to McKinneys, along the shore of Lake Tahoe.

Read second time.

Mr. Burnham moved that the Assembly resolve itself into Committee of the Whole, with Mr. Shanahan in the chair, for the purpose of considering Assembly Bill No. 553.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Shanahan in the chair.

Assembly Bill No. 553 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Shanahan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 553—An Act to provide for the survey and construction of a wagon road from Tallac to McKinneys, along the shore of Lake Tahoe—and now report the same back, and recommend that the same do pass as amended

SHANAHAN, Chairman.

Report adopted.

The following amendments were submitted:

By Mr. Power, of Placer:

Amend by inserting in the enacting clause, after the word "California," the word "represented."

Adopted.

Also:

Amend by inserting after the word "Tahoe," in title, the following: "and making an appropriation therefor."

Adopted.

By the committee:

Amend by striking out in printed bill the last word of line 5, Section 4, "twenty," and substituting "four" in its place, and amend line 6, Section 4, of printed bill by striking out the first word, "day," and substituting the word "weeks" in its place.

Also: Amend by inserting in line 8, Section 4, of printed bill, after the word "also," the words "seven days."

Also: Amend by placing the words "Section 8" before the last line of printed bill.

Adopted.

Assembly Bill No. 553 ordered to engrossment, printer, and third reading.

Senate Bill No. 419—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor.

Read second time.

Mr. North, of Alameda, moved that the Assembly resolve itself into Committee of the Whole, with Mr. Shanahan in the chair, for the purpose of considering Senate Bill No. 419.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Shanahan in the chair.

Senate Bill No. 419 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Shanahan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 419—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor—and now report the same back, with amendments, and recommend that the same do pass as amended.

SHANAHAN, Chairman.

Report adopted.

Senate Bill No. 419—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor.

The following amendments were submitted:

By Mr. North, of Alameda:

Amend title by striking out all of line 1, after the word "provide"; also, the words "of apparatus for the," on line 2

Also: After the word "proper," on line 2, the words "and perfect."

Also: Strike out the word "automatic," on line 3, and after the word "therefor," at end of title, add "and to provide for the control of the State Capitol building."

Also: Amend Section 1 by striking out all on line 4, after the word "Commissioner"; all on line 5 and 6, to and including the word "apparatus."

Also: Strike out on line 6 the words "and perfect," after the word "proper."

Also. After Section 2 add as follows:

SEC. 3. The State Capitol building shall be under the control and management of the State Board of Capitol Commissioners.

Also: Strike out the number 3 in Section 3, and insert 4.

Also: Add:

SEC. 5. All Acts and parts of Acts in conflict with this Act are hereby repealed.

Adopted.

By Mr. Cutter:

Amend by striking out of Section 1, line 1, the word "sixty," and inserting the following: "seventy-five"

The question being on the amendment offered by Mr. Cutter.

The ayes and noes were demanded by Messrs. Belshaw, Mead, and Boone.

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

AYES—Messrs. Allen, Arnerich, Austin, Bettman, Canavan, Cutter, Damon, Dennery, Dibble, Dolan, Emmons, Ennis, Fontana, Gately, Goff, Goodhue, Guy, Harris, Henry, Jones, Keables, Kelly, Kelsey, Lacy, Landsborough, Mahoney, Malcolm, Mulcrevy, McCandlish, McGrath, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Price, Ryan, Sims, Soward, and Mr. Speaker—39.

NOES—Messrs. Aldridge, Anderson, Belshaw, Boone, Bridgford, Burnett, Burnham, Cammetti, Cartwright, Chynoweth, Clarke, Cross, Dryden, Elliott, Foreman, Hill, Houghton, Hudson, Keegan, Leavitt, Lindenberger, Mead, Melick, McClellan, North of Yolo, Sanford, Strain, Toland, and Waymire—29.

Senate Bill No. 419 ordered to printer and third reading.

SPECIAL FILE.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 38.

A resolution to propose to the people of the State of California an amendment to Section 6, Article IX, of the Constitution of the State of California, relating to grammar schools.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on the fourth day of January, Anno Domini eighteen hundred and ninety-seven, two thirds of the members elected to each of the two houses voting in favor thereof, hereby propose that section six of article nine of the Constitution of the State of California be amended to read as follows:

Section 6. The public school system shall include primary and grammar schools, and such high schools, evening schools, normal schools, and technical schools as may be established by the Legislature, or by municipal or district authority, but the entire revenue derived from the state school fund, and the state school tax, shall be applied exclusively to the support of primary and grammar schools. Grammar schools shall include schools organized in a school district, or union of school districts, having more than one thousand inhabitants, in which a course of study shall be taught which will prepare pupils to enter the agricultural, mining, or scientific department of the University of California.

The question being on the adoption of Assembly Constitutional Amendment No. 38.

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

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Goff, Goodhue, Guy, Henry, Hill, Houghton, Hudson, Keables, Keegan, Kelly, Kelsey, Kenyon, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Melick, McCandlish, McClellan, McGrath, North of Alameda, Pohlmann, Power of Placer, Price, Rubell, Ryan, Sanford, Shanahan, Soward, Strain, Vosburg, and Waymire—60.

NOES—Mr. Lacy—1

LEAVE OF ABSENCE.

Mr. Boone was granted leave of absence for remainder of day.

SUBSTITUTION OF BILL.

Mr. Leavitt moved to substitute on the special urgency file Senate Bill No. 574 for Assembly Bill No. 763.

So ordered.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 574—An Act amending Section 534 of the Political Code, relating to Superintendent of State Printing.

Read second time.

Mr. Leavitt moved that Senate Bill No. 574 be made a special order for to-morrow, immediately after reading of the Journal.

So ordered.

MOTION.

Mr. Mead moved that the constitutional provision be suspended, and that he be permitted to introduce a bill out of order.

The roll was called, and the motion to suspend the constitutional provision carried by the following vote:

AYES—Messrs. Aldridge, Allen, Arnerich, Belshaw, Bettman, Bridgford, Burnett, Burnham, Caminetti, Cartwright, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Goff, Goodhue, Guy, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Toland, Vosburg, and Waymire—60.

NOES—Mr. Chynoweth—1.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Mead: Assembly Bill No. 985—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, and 648 of the Code of Civil Procedure, and adding a new section thereto, to be known as Section 648¼, relating to building and loan associations.

Read first time, and referred to Committee on Corporations.

RESOLUTION.

By Mr. Cutter:

Resolved, That the rules be suspended and the following be made the special order for seven o'clock and thirty minutes P. M. of Thursday, March 11th, and every succeeding evening, Sunday excepted, until disposed of: Senate Bills Nos. 261 and 620; Assembly Bills Nos 615, 271, 521, 206, 207, 213, 340, 5, 408, 502, 912, 317, 159, 319, 241, 232, 161, 118, 339, 901, 735, 874, 914, 561, 717, and 958.

Adopted.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 691—An Act to establish a State Lunacy Commission, to provide a uniform government and management of the State hospitals for the insane, and to provide for the care, custody, and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties.

Assembly Bill No. 615—An Act to pay the claim of A. J. Bourne against the State of California, and making an appropriation therefor.

Assembly Bill No. 932—An Act making an appropriation to pay the claim of Charles W. Metcalf against the State of California

Assembly Bill No 318—An Act making an appropriation to pay claim for traveling expenses of John F. Kidder, from August 15, 1893, to December 21, 1895

Assembly Bill No. 410—An Act to provide for the payment of claims against the State of California, arising under an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and making an appropriation therefor

Also: Assembly Joint Resolution No 23—Relative to the protection of the farming industries

Also: Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to section eight (8) of article one (I) of the Constitution of the State of California, relative to grand juries.

Also: Assembly Constitutional Amendment No. 34—Proposed amendment to Article IV of the Constitution, relative to the sessions of the Legislature.

Also: Assembly Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to Section 34 of Article IV of the Constitution of the State of California.

AUSTIN, Chairman.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1897.

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

WHEREAS, The Controller of State has, without order of the Assembly, stricken from the payroll the name of Harry Kelly, the Clerk of the San Francisco Delegation; therefore, be it

Resolved, That the Committee on Attachés and Employés be and they are hereby instructed to replace the name of Harry Kelly, Clerk of the San Francisco Delegation, upon the payroll of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted, and that the name of Harry Kelly be put on the payroll.

VOSBURG, Chairman.

Adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1897.

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

Resolved, That for and by reason of services rendered as File Clerk of the Assembly from January 4, 1897, to January 10, 1897 (both dates inclusive), P. J. Arnerich is hereby allowed seven days' pay, at the per diem as fixed by law, payable out of the appropriation for the contingent expenses of the Assembly. The Controller is hereby directed to draw his warrant for said per diem, and the Treasurer directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

VOSBURG, Chairman.

Adopted.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1897

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No 169—An Act to require street railroads to provide guards for cars and dummies, and prescribe penalties.

Also: Senate Bill No. 668—An Act to amend Section 599 of the Civil Code, relating to what may be provided for in their by-laws, ordinances, constitutions, or articles of incorporation, by corporations for purposes other than profit.

Also: Senate Bill No. 495—An Act to amend Section 622 of the Political Code of the State of California, relating to the retaliatory clause concerning insurance companies.

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

CUTTER, Chairman

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 350—An Act to amend Sections 3657, 3665, 3681, 3728, 3732, 3734, 3746, 3758, 3763, 3801, 3805, 3817, 3820, 3821, 3825, 3843, 3845, 3858, and 3897 of the Political Code, and to add to said Code five new sections, to be numbered Sections 3737, 3739, 3776, 3777, and 3818, and to repeal Sections 3428 and 4083 of said Code, all of said sections relating to public lands and revenue and taxation.

Also: Senate Bill No 586—An Act to amend Sections 364 and 680 of the Political Code and to add a new section thereto, to be known as Section 686, of the Political Code, all relating to the State Board of Examiners.

Have had the same under consideration, and respectfully report the same back without recommendation

Also: Senate Bill No. 131—An Act entitled an Act to amend Section 3785 of the Political Code of the State of California, relating to the revenue and taxes of the State of California, and providing for the taking of tax deeds by the State, and fixing a limitation as to the time within which deeds may be taken by purchasers other than the State of California.

Also: Senate Bill No. 193—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to estates of deceased persons.

Also: Senate Bill No. 561—An Act to amend Section 605 of the Penal Code of the State of California, relating to the removing, defacing, or altering landmarks.

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

Also: Senate Bill No 365—An Act authorizing a party required to give a bond or undertaking to agree with his sureties for the deposit and withdrawal of any or all moneys or assets for which such sureties are or may be held responsible—have had the same under consideration, and respectfully report the same back without recommendation

Also: Senate Bill No 428—An Act to add a new section to the Code of Civil Procedure, said section to be designated as Section 1810, relating to the filing of accounts of guardians after their death—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Senate Bill No. 255—An Act to amend Section 1255 of the Code of Civil Procedure, relating to costs in condemnation suits.

Also: Senate Bill No 424—An Act to amend Section 437 of an Act entitled "An Act to establish a Code of Civil Procedure," relative to the answer of defendants in civil actions.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

WAYMIRE, Chairman.

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1897.

MR SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Senate Bill No. 460—An Act to amend Sections 3465 and 3466 of the Political Code of the State of California, relating to the collection of assessments in reclamation districts of the State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

A. W. NORTH, Chairman.

RESOLUTION.

By Mr. Belshaw:

Resolved, That the resolution of March 6, 1897, reported by the Committee on Attachés and Employés, and adopted by the Assembly, is hereby rescinded as far as it pertains to H. A. Downer, Usher, and he is hereby restored to his position and place on the payroll of the Assembly attachés.

Adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1897

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No 6—A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by adding a new section, to be known and designated as Section 7½, Article XI, thereof, providing for the framing by the inhabitants of counties of local county government acts, for their own government.

Also: Assembly Constitutional Amendment No. 11—Proposing to the people of the State of California an amendment to Section 12, Article XIII, of the Constitution of the State of California, relating to the levy and collection of poll taxes

Also: Assembly Constitutional Amendment No 11—A resolution to propose to the people of the State of California amendments of Sections 1, 2, 3, 4, 10, 12, 16, 17, 18, 21, and 23 of Article VI of the Constitution, relating to the judicial department of the government of the State of California.

Also: Assembly Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to Section 14, Article VI, of the Constitution, in relation to Clerk and Deputy Clerk of the Supreme Court, and Clerk and Deputy Clerks of the District Court of Appeal.

Also: Assembly Constitutional Amendment No 15—Proposed amendment to Article IV, Section 7, of the Constitution, relative to a limitation of the number of employés of the Legislature.

Also: Assembly Constitutional Amendment No 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 9 of Article XIII thereof, relative to the Board of Equalization, providing that said board shall consist of four members, to be elected at large by the electors of the State

Also: Assembly Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to Article XIII, Section 12, of the Constitution, relating to revenue and taxation.

Also: Assembly Constitutional Amendment No 18—To propose to the people of the State of California an amendment to the Constitution of the State, amending Article XIII, relating to revenue and taxation.

Have had the same under consideration, and respectfully report the same back without recommendation.

SIMS, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1897

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 1 of Article XIII thereof, 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, provided that Assembly Bill No. 714 also be passed by this House

Also: Assembly Constitutional Amendment No. 22.

Also: Assembly Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to section twelve (12) of article thirteen (XIII) of the Constitution of the State of California, relative to the levy and collection of a poll tax

Also: Assembly Constitutional Amendment No. 28—Proposing an amendment to Article VI, relating to the judicial department.

Also: Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to Article XIII of the Constitution, Section 1, in relation to taxation.

Also: Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution, in relation to the sessions of the Legislature, and the pay of the members thereof.

Also: Assembly Constitutional Amendment No. 37—To propose to the people of the State of California an amendment to the Constitution of the State, amending Article XI, by adding a new section thereto, to be known as Section No. 5½, relating to consolidated city and county governments.

Also: Assembly Constitutional Amendment No. 39—A resolution to propose to the people of the State of California an amendment to Section 1 of Article XIII of the Constitution, in relation to revenue and taxation.

Also: Assembly Constitutional Amendment No 42—A resolution proposing to add to Article XI of the Constitution of the State of California a new section, to be numbered Section 20.

Also: Assembly Constitutional Amendment No. 43—To propose to the people of the State of California an amendment to section seven (7) of article nine (IX) of the Constitution of the State of California, by taking away the control of granting high-school certificates from County Boards of Education.

Have had the same under consideration, and respectfully report the same back without recommendation.

SIMS, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1897

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 958—An Act to repay and reimburse John C Pelton for money expended and for services rendered in establishing the first free public school in the State of California—have had the same under consideration, and respectfully report the same back with amendments thereto, and recommend that it do pass as amended.

CLARKE, Acting Chairman

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1897

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 736—An Act making an appropriation to pay for the repairs and construction of buildings in Yosemite Valley, and for the improvement of the valley—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 647—An Act to authorize the Governor to employ agents to collect certain claims due the State of California by the United States, and to provide compensation for such services.

Also: Assembly Bill No 711—An Act for the relief of John Barry.

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

GUY, Chairman.

Senate Bill No. 647 ordered on Senate special file.

RESOLUTION.

By Mr. Waymire:

Resolved, That the sum of $10 is hereby appropriated out of the Contingent Fund of the Assembly to pay C. J. Parmenter, for mileage and two days' attendance as witness upon the "Temporary Attaché Investigating Committee," and the Controller is hereby directed to draw his warrant for the above amount, and the Treasurer is hereby authorized to pay the same

Mileage from Winters, 30 miles	$6 00
Two days' attendance	4 00
Total	$10 00

Adopted.

RECESS.

At six o'clock and five minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until eight o'clock P. M.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

MOTION.

Mr. Hill moved that the Assembly now take up the consideration of Assembly Bill No. 76 and Assembly Bill No. 419.

So ordered.

Assembly Bill No. 76—An Act to amend Section 261 of the Penal Code of the State of California, relating to the crime of rape, and what constitutes the same.

The following Senate amendment was submitted:

Amend by inserting in subdivision 4, Section 1, line 12, of the printed bill, after the word "great," the words "and immediate."

The question being, "Shall the Assembly concur in the Senate amendment to Assembly Bill No. 76?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Aldridge, Arnerich, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnham, Caminetti, Cartwright, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Goodhue, Guy, Harris, Henry, Hill, Hudson, Keables, Keegan, Kelsey, Kenyon, Leavitt, Lindenberger, Mahoney, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Alameda, Price, Rubell, Ryan, Sanford, Sims, Soward, Stansell, Strain, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—54

NOES—None.

Assembly Bill No. 76 ordered to enrollment.

Assembly Bill No. 419—An Act to amend Section 542 of the Code of Civil Procedure.

The following Senate amendment was submitted:

Amend by striking out in line 12, subdivision 1, Section 1, page 1, of the printed bill, the phrase commencing with the words "and by" and ending with the word "attached," in line 15 of said subdivision, on page 2 of said printed bill, also, by striking out in line 22, Section 1, page 2, of the printed bill, the phrase beginning with the words "and by" and ending with the word "property," in line 29 of said subdivision.

The question being, "Shall the Assembly concur in the Senate amendment to Assembly Bill No. 419?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Aldridge, Arnerich, Austin, Belshaw, Bettman, Bridgford, Burnett, Canavan, Cartwright, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Goff, Guy, Harris, Hill, Houghton, Hudson, Keables, Keegan, Kelsey, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, Pohlmann, Power of Placer, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 419 ordered to enrollment.

Assembly Bill No. 789—An Act to amend Section 309 of the Civil Code of California, relating to the liability of directors of corporations, and providing for the enforcement of the same.

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. Aldridge, Arnerich, Belshaw, Bettman, Bridgford, Burnett, Caminetti, Canavan, Cross, Cutter, Dibble, Dryden, Elliott, Emmons, Foreman, Guy, Henry, Hill,

Houghton, Keables, Kelsey, Kenyon, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Rubell, Shanahan, Sims, Soward, Stansell, Strain, Waymire, and Wright—40

NOES—Messrs. Godfrey, Ryan, and Mr. Speaker—3.

At eight o'clock and forty-five minutes P. M., the Speaker called Mr. Emmons to the chair.

MOTION.

Mr. Bettman moved to reconsider the vote whereby the enacting clause was stricken out of Senate Bill No. 90, on yesterday.

The question being on the adoption of the motion.

The ayes and noes were demanded by Messrs. Bettman, Ryan, and Harris.

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

AYES—Messrs. Allen, Arnerich, Austin, Belshaw, Bettman, Bridgford, Burnett, Burnham, Caminetti, Clarke, Cross, Cutter, Dibble, Dolan, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Goff, Guy, Harris, Henry, Keables, Kelsey, Kenyon, Mahoney, Malcolm, Melick, Mulcrevy, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Vosburg, and Waymire—45

NOES—Messrs. Aldridge, Canavan, Cartwright, Dryden, Godfrey, Hill, Hudson, Keegan, Leavitt, Lindenberger, Mead, McCandlish, McClellan, Power of San Francisco, Rubell, and Toland—16.

MESSAGES FROM THE SENATE.

Mr. Dibble moved that the Assembly now take up Senate messages.

So ordered.

SENATE CHAMBER, SACRAMENTO, March 10, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 10th day of March, returns to the Assembly, for their further consideration, as per your request, Senate Bill No. 90—An Act for the relief of district agricultural associations.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Mr. Dibble moved that Senate Bill No. 90 be placed in the same position it held on the file last evening.

Mr. Shanahan moved to amend by placing Senate Bill No. 90 on its final passage.

So ordered.

Motion, as amended, adopted.

At nine o'clock and forty minutes P. M., the Speaker resumed the chair.

Senate Bill No. 90—An Act for the relief of district agricultural associations.

The question being, "Shall the enacting clause of Senate Bill No. 90 be stricken out?"

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Cross, Malcolm, and Mead.

The question being, "Shall the main question be now put?"

So ordered.

The ayes and noes were demanded by Messrs. Belshaw, Mead, and McClellan.

The roll was called, and the motion to strike out the enacting clause lost by the following vote:

AYES—Messrs. Aldridge, Allen, Belshaw, Breiling, Bridgford, Canavan, Cartwright, Clarke, Cross, Damon, Dolan, Dryden, Elliott, Gately, Goff, Hill, Houghton, Hudson, Keegan, Leavitt, Lindenberger, Mahoney, Mead, Melick, McClellan, McGrath, North of Alameda, Power of Placer, Rubell, Sanford, Toland, Valentine, and Mr. Speaker—33.

NOES—Messrs. Arnerich, Austin, Bettman, Burnett, Burnham, Caminetti, Cutter, Dennery, Dibble, Emmons, Ennis, Fontana, Foreman, Goodhue, Harris, Henry, Jones, Keables, Kelly, Kelsey, Kenyon, Lacy, Malcolm, Mulcrevy, McCandlish, North of Yolo, Pohlmann, Power of San Francisco, Price, Ryan, Shanahan, Sims, Soward, Stansell Strain, Treacy, Vosburg, and Waymire—38.

Bill ordered to printer and third reading.

Assembly Bill No. 667—An Act to amend Section 595 of the Civil Code of the State of California, relating to religious, social, and benevolent 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. Aldridge, Allen, Arnerich, Belshaw, Bettman, Burnett, Burnham, Caminetti, Canavan, Cartwright, Clarke, Cross, Cutter, Dennery, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Goff, Goodhue, Guy, Harris, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Kenyon, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McCandlish, McClellan, McGrath, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Waymire, and Wright—57.

NOES—Messrs. Hill and Rubell—2.

Title read and approved.

Senate Bill No. 340—An Act to provide for the purchase of additional land for the Preston School of Industry, at Ione.

Read second time.

Mr. Caminetti moved that the Assembly resolve itself into Committee of the Whole, with Mr. Emmons in the chair, for the purpose of considering Senate Bill No. 340.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Emmons in the chair.

Senate Bill No. 340 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Emmons in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 340—An Act to provide for the purchase of additional land for the Preston School of Industry, at Ione—and now report the same back to the Assembly, and recommend that the same do pass

EMMONS, Chairman.

Report adopted.

Bill ordered to third-reading file.

Senate Bill No. 100—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887, to provide the penalty therefor, and appropriating money to enforce 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. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Bridgford, Burnett, Caminetti, Canavan, Cartwright, Clarke, Cross, Dibble, Dolan, Dryden, Elliott, Emmons, Gately, Goff, Guy, Hill, Keegan, Kelly, Kelsey, Kenyon, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Assembly Bill No. 691—An Act to establish a State Lunacy Commission, to provide a uniform government and management of the State hospitals for the insane, and to provide for the care, custody, and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Bridgford, Burnett, Burnham, Canavan, Cartwright, Clarke, Cross, Cutter, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Goff, Goodhue, Harris, Henry, Hill, Hudson, Jones, Keegan, Kelly, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sims, Soward, Stansell, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

At ten o'clock and twenty minutes P. M., the Speaker called Mr. Belshaw to the chair.

MOTION.

Mr. Emmons moved to reconsider the vote whereby Assembly Concurrent Resolution No. 7 was lost.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Clarke, Stansell, and Cutter.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the motion of Mr. Emmons. The same was lost.

MOTION.

Mr. Emmons moved to reconsider the vote whereby Assembly Constitutional Amendment No. 1 was refused adoption.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Sims, North, and Cross.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the motion of Mr. Emmons to reconsider.

The ayes and noes were demanded by Messrs. Caminetti, Dryden, and Houghton.

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

AYES—Messrs. Aldridge, Allen, Breiling, Burnett, Caminetti, Canavan, Cartwright, Clarke, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Goodhue, Hill, Houghton, Keables, Keegan, Kelly, Lacy, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McGrath, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—34

NOES—Messrs. Arnerich, Austin, Belshaw, Bridgford, Burnham, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Harris, Henry, Hudson, Kelsey, Kenyon, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Power of Placer, Price, Sims, Soward, Stansell, Strain, Vosburg, Waymire, and Wright—32.

Assembly Constitutional Amendment No. 1—Proposed amendment to Section 1 of Article XVIII of the Constitution, relative to amendments.

Mr. Emmons moved that the consideration of Assembly Constitutional Amendment No. 1 be postponed, and take its place on file.

Mr. Dibble raised the point of order that the previous question carried the main question with it.

The Chair ruled the point of order well taken.

The question being on the adoption of Assembly Constitutional Amendment No. 1.

The roll was called.

Pending the announcement of the result, Mr. Emmons moved a call of the House.

Motion lost.

The result of the roll call was announced, and Assembly Constitutional Amendment No. 1 lost by the following vote:

AYES—Messrs Aldridge, Allen, Breiling, Burnett, Caminetti, Canavan, Cartwright, Clarke, Cutter, Dolan, Dryden, Elliott, Emmons, Foreman, Gately, Godfrey, Goodhue, Hill, Houghton, Keables, Keegan, Kelly, Kenyon, Mahoney, Mead, Mulcrevy, McCandlish, McClellan, McGrath, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Stansell, Toland, and Treacy—37

NOES—Messrs. Arnerich, Belshaw, Bridgford, Burnham, Cross, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Harris, Henry, Hudson, Kelsey, Lacy, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Power of Placer, Price, Sims, Soward, Strain, Vosburg, Waymire, and Wright—29.

MOTIONS.

Mr. Emmons moved to continue his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 26 was refused adoption until next legislative day.

Mr. North, of Alameda, moved as a substitute that the Assembly now consider Assembly Constitutional Amendment No. 26.

Mr. Cutter moved that the whole subject-matter be laid on the table.

The question being on the adoption of Mr. Cutter's motion.

The ayes and noes were demanded by Messrs. Emmons, Wright, and Shanahan.

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

AYES—Messrs. Belshaw, Cross, Cutter, Damon, Henry, Malcolm, Mead, McGrath, North of Yolo, Ryan, Toland, and Vosburg—12

NOES—Messrs. Aldridge, Allen, Arnerich, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Clarke, Dennery, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Goff, Goodhue, Harris, Hill, Houghton, Hudson, Keables, Keegan, Kelly, Kelsey, Kenyon, Lacy, Lindenberger, Mahoney, Melick, McCandlish, McClellan, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Treacy, Waymire, Wright, and Mr. Speaker—53.

The question being on the substitute of Mr. North, of Alameda.

The same was lost.

The question being on the motion of Mr. Emmons to continue his motion to reconsider.

The same was adopted.

RESOLUTION.

By Mr. Caminetti:

Resolved, That debate on all motions to reconsider any vote by which any bill or resolution has been lost, passed, or adopted shall be limited to five minutes on each side of the question, unless by unanimous consent the time is extended.

Ordered printed in the Journal, and to lie over one day.

ADJOURNMENT.

At eleven o'clock and five minutes P. M., on motion of Mr. Clarke, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 11, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Harris and Moultrie were granted a leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 40—An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays—and presented the same to the Governor on this day, at three o'clock and twenty-five minutes P. M.

Also: Assembly Bill No. 461—An Act to amend Section 963 of the Code of Civil Procedure.

Also: Assembly Bill No. 462—An Act to amend Section 977 of the Code of Civil Procedure.

Also: Assembly Bill No. 980—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 two o'clock and fifty-five minutes P. M.

FONTANA, Chairman.

RESOLUTION—(OUT OF ORDER).

By Mr. Belshaw:

Resolved, That Messrs. Belshaw, Mead, Clarke, Ryan, and Hill, members of the special committee appointed to investigate the Examiner's charges of bribery, be excused during the time said investigation has been under consideration.

Adopted.

MOTION.

Mr. Dibble moved that the special orders set for this morning be temporarily passed, to take up committee reports and Senate messages. So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 696—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the powers of the Boards of Trustees of certain cities—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VALENTINE, Chairman

Senate Bill No. 696 placed on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1897.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 669—An Act to amend Section 2653 of the Political Code, relative to property highway tax—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

CLARKE, Chairman

Assembly Bill No. 669 placed on file for second reading.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 737—An Act to amend an Act entitled "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," approved March 26, 1895.

Also: Assembly Bill No. 121—An Act to create and regulate in any city or city and county in this State public warehouses.

Also Reengrossed Assembly Bill No. 498—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children, and to prevent and punish wrongs to children," approved March 29, 1878.

AUSTIN, Chairman.

ON CONTESTED ELECTIONS.

MR. SPEAKER: Your Committee on Contested Elections beg to submit the following supplementary report in the cases of Bennett vs Toland and Code vs. Mahoney, as printed in the Journals of February 15th, page 6, and March 9th, page 28, and offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrants, and the Treasurer is instructed to pay the same, in favor of the parties named, and whose claims are approved, for the several amounts set opposite their respective names, as per bills attached:

Peter Bennett, contestant:	
Cost of filing contest and service	$4 00
Justice's fees, 350 folios @ 25 cents	87 50
Three hundred and fifty folios testimony @ 20 cents	70 00
Briefs	5 30
Total	$166 80
T. O. Toland, contestee:	
Expenses in attending commission	$72 00
Serving subpœnas, and witness fees	10 70
Total	$82 70

John R. Aitken, attorney for P. D. Code, Jr.:

Reporter's fees, five days @ $10 (one half)	$25 00
One hundred and eight folios testimony @ 20 cents	21 60
Total	$46 60

Respectfully submitted.

KENYON, Chairman

Ordered printed in the Journal.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 2, 1897.

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 418 and 170.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 3, 1897.

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 23, 104, 460, 173, 459, 68, and 139.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 4, 1897.

To the Assembly of the State of California·

I have the honor to inform your honorable body that I have approved Assembly Bill No. 316.

Also: That, pursuant to the provisions of Senate Concurrent Resolution No. 9, I return herewith Assembly Bills Nos. 76 and 419

Also: That I have approved Assembly Bill No. 496.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 8, 1897.

To the Assembly of the State of California·

I have the honor to inform your honorable body that I have approved Assembly Bill No. 741.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 9, 1897.

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 113, 420, 769, 71, 454, 14, 26, 452, 17, 255, 536, and 607.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 10, 1897.

To the honorable Assembly of the State of California·

GENTLEMEN: I return herewith Assembly Bill No. 273, without my approval, and with my objections thereto:

Acts which provide for the disqualification of a prejudiced or biased Judge are in operation in other States, and any proper legislation which will relieve a litigant from the necessity of having his case tried before a Judge who is biased or prejudiced against him, or who has a fixed opinion on the case, is desirable and praiseworthy. A statute having for its purpose such relief already exists as to Justices' Courts, but the fact of the limited jurisdiction of such courts, and the fact that a new trial on appeal can always be had in the Superior Court, make regulations which are beneficial in the limited territorial jurisdiction of Justices' Courts inexpedient and dangerous in Superior Courts

A careful scrutiny of the terms of Assembly Bill No. 273 has led me to believe that in its present form it should not become law.

While decisions are numerous holding that the expression "when it appears" occurs in a law of this kind it is construed as requiring an allegation of facts, not opinions, conclusions, or hearsay, yet the provision contained in the bill "that he does believe," may modify these decisions to such extent that such belief may be sufficient to cause the disqualification of a Judge, which the introducer from his statement says was not his intention.

And the words "adjoining county" should read "another county."

It is not definite enough as to the affidavit upon which it is sought to disqualify the Judge. No provision is made for counter-affidavits The time when the affidavit can be filed is not definitely fixed It might be resorted to at so late a stage of the proceedings that great expense to litigants and inconvenience to witnesses, courts, and jurymen would result

After conferring with the introducer of this bill—and other members—they concluded that a new bill could be passed, which would be free from the objections to which Assembly Bill No 273 was open, and which would at the same time permit a litigant to legally object to a prejudiced and biased Judge I understand that such a bill has since been introduced and passed by your honorable body, and is now pending before the Senate.

JAMES H. BUDD, Governor.

The question being, "Shall Assembly Bill No. 273 become a law, notwithstanding the objection of the Governor?"

The roll was called, and the Governor's objection sustained by the following vote:

AYES—Messrs. Arnerich, Austin, Breiling, Cross, Cutter, Damon, Ennis, Fontana, Keegan, and Malcolm—10.

NOES—Messrs. Aldridge, Anderson, Belshaw, Boone, Bridgford, Burnett, Canavan, Cartwright, Clarke, Dibble, Dolan, Dryden, Elliott, Emmons, Godfrey, Goff, Goodhue, Harris, Henry, Hill, Houghton, Kenyon, Lacy, Leavitt, Melick, McGrath, North of Yolo, Pohlmann, Power of San Francisco, Price, Rubell, Sanford, Shanahan, Strain, Toland, Treacy, Vosburg, Waymire, and Mr Speaker—39

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 10, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 10th day of March, amended, and passed as amended, Assembly Bill No. 8—An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors, and marines in this State, who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889.

Also: Assembly Bill No 783 (Substitute for Assembly Bill No. 196)—An Act to amend Section 2737 of the Political Code, relating to bridges and highways, and the construction of bridges over ditches and across highways.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Assembly Bill No. 8—An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors, and marines in this State, who may hereafter die without leaving sufficient means to defray funeral expenses."

The following Senate amendment was submitted:

Amend as follows: Insert the word and figure "Section 3" at the beginning of the last line of the bill.

The question being, "Shall the Assembly concur in the Senate amendment to Assembly Bill No. 8?"

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

AYES—Messrs. Aldridge, Allen, Anderson, Belshaw, Boone, Breiling, Burnham, Cammetti, Canavan, Clarke, Cross, Damon, Dibble, Dryden, Elliott, Emmons, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Keables, Keegan, Kelsey, Kenyon, Lacy, Leavitt, Melick, McGrath, Power of Placer, Power of San Francisco, Price, Rubell, Sanford, Shanahan, Stansell, Toland, and Vosburg—42.

NOES—None

Assembly Bill No. 8 ordered to enrollment.

Assembly Bill No. 783 (Substitute for Assembly Bill No. 196)—An Act to amend Section 2737 of the Political Code, relating to bridges and highways, and the construction of bridges over ditches and across highways.

SENATE AMENDMENTS.

Amend by striking out of Section 1, line 18, the word "at," and inserting the following: "an."

Also: Amend by striking out of Section 1, line 20, the word "may," and inserting the following in lieu thereof: "shall."

The question being, "Shall the Assembly concur in the Senate amendments to Assembly Bill No. 783?"

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Belshaw, Boone, Breiling, Burnett, Burnham, Canavan, Clarke, Cross, Damon, Dolan, Dryden, Elliott, Emmons, Fontana, Foreman, Goff, Goodhue, Henry, Hill, Hudson, Keables, Kenyon, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, McGrath, North of Alameda, Power of Placer, Power of San Francisco, Price, Rubell, Sanford, Shanahan, Sims, Soward, Toland, Valentine, and Vosburg—43.

NOES—None.

Assembly Bill No. 783 ordered to enrollment.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 11, 1897.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 128, 138, and 622.

JAMES H. BUDD, Governor.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 9, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 9th day of March, refused to concur in Assembly amendments to Senate Bill No. 494—An Act to amend Sections 354, 1487, 1488, 1489, 1490, 1491, 1492, 1497, 1501, 1503, 1505, and 1507, and to repeal Sections 1504 and 1506 of the Political Code, relating to State Normal Schools—and respectfully request your honorable body to recede from said amendments.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

The question being, "Shall the Assembly recede from its amendments to Senate Bill No. 494?"

The roll was called, and the Assembly receded by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Belshaw, Boone, Breiling, Burnett, Canavan, Cartwright, Clarke, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Henry, Hill, Houghton, Hudson, Keables, Keegan, Kenyon, Lacy, Mahoney, Melick, McGrath, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Rubell, Sanford, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—47.

NOES—Messrs. Arnerich, Cross, Kelsey, Malcolm, Price, Ryan, and Treacy—7.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 9th day of March, 1897, returns to you Assembly Bill No. 45—An Act requiring every corporation in this State to pay their employés, and each of them, at least once in each and every month, the wages earned by such employés; 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-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 the assignment 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.

Also: Assembly Bill No. 827—An Act to amend Section 3664 of the Political Code, as amended by an Act approved March 9, 1883, and Section 3665 of the Political Code, as amended by an Act approved March 31, 1891.

Corrected as per your request of March 6th.

F. J. BRANDON, Secretary.
By G. W McINTYRE, Assistant.

Assembly Bill No. 45—An Act requiring every corporation in this State to pay their employés, and each of them, at least once in each and every month, the wages earned by such employés; 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-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 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.

SENATE AMENDMENTS.

Amend by striking out Sections 2 and 3, and renumber sections following

Also: Amend Section 1, lines 9, 10, and 11, by striking out the words "*provided*, that any employer may, by special contract with such employé, make other arrangements for said payments."

The question being, "Shall the Assembly concur in the Senate amendments to Assembly Bill No. 45?"

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Boone, Breiling, Bridgford, Burnett, Canavan, Cross, Damon, Dryden, Elliott, Emmons, Fontana, Foreman, Goff, Goodhue, Henry, Hill, Kelly, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Melick, McClellan, McGrath, North of Alameda, North of Yolo, Power of Placer, Rubell, Ryan, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 45 ordered to enrollment.

Assembly Bill No. 827—An Act to amend Section 3664 of the Political Code, as amended by an Act approved March 9, 1883, and Section 3665 of the Political Code, as amended by an Act approved March 31, 1891.

SENATE AMENDMENT

Amend the title as follows:

"An Act to amend Sections 3664 and 3665 of the Political Code."

The question being, "Shall the Assembly concur in the Senate amendment to Assembly Bill No. 827?"

The roll was called, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs Aldridge, Belshaw, Boone, Burnett, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Fontana, Goff, Goodhue, Guy, Henry, Hill, Houghton, Hudson, Keables, Keegan, Kelsey, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Power of Placer, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Stansell, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—41.

NOES—None.

Assembly Bill No. 827 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 10th day of March, passed Senate Bill No. 429—An Act to add a new section to the Code of Civil Procedure, said section to be designated as Section 1641, relating to the filing of accounts of executors and administrators after their death.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 429 referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 10th day of March, adopted Assembly Concurrent Resolution No. 11—Relative to dispensing with Joint Rules XL, XLVIII, and XLIX.

Also: Assembly Concurrent Resolution No. 12—Relative to adjourning *sine die*.

F. J. BRANDON, Secretary.
By ALF D. BOWEN, Assistant

Assembly Concurrent Resolution No. 11 and Assembly Concurrent Resolution No 12 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 6th day of March, passed Senate Bill No. 375—An Act to amend Section 3446 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of reclamation districts.

Also: On the 9th day of March, passed Senate Bill No. 427—An Act to amend Section 681 of the Code of Civil Procedure of the State of California, relating to executions.

Also: Senate Bill No. 462—An Act to amend Sections 3476 and 3477 of the Political Code, relating to reclamation of swamp and overflowed lands.

Also: Senate Bill No. 530—An Act to amend Section 3493 of the Political Code of the State of California, relating to the dissolution of swamp land or reclamation districts.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 375—An Act to amend Section 3446 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.

Senate Bill No. 427—An Act to amend Section 681 of the Code of Civil Procedure of the State of California, relating to executions.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 462—An Act to amend Sections 3476 and 3477 of the Political Code, relating to reclamation of swamp and overflowed lands.

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

Senate Bill No. 530—An Act to amend Section 3493 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.

SPECIAL ORDERS.

Assembly Bill No. 498—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children, and to prevent and punish wrongs to children," approved March 29, 1878.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Godfrey, Goodhue, Guy, Henry, Hill, Hudson, Keables, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, McClellan, North of Alameda, Pohlmann, Power of Placer, Rubell, Ryan, Shanahan, Soward, Strain, Toland, Valentine, Waymire, and Wright—48.

NOES—None.

Title read and approved.

At twelve o'clock M., the Speaker called Mr. Bettman to the chair.

Assembly Bill No. 936—An Act to provide for the levy and collection of an income tax.

Read third time.

Mr. Cutter moved that Assembly Bill No. 936 be referred to a select committee of three to consider the bill.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Cartwright, Price, and Sims.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the motion to refer the bill to a select committee.

The ayes and noes were demanded by Messrs. Shanahan, Houghton, and Dibble.

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

AYES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Henry, Hudson, Jones, Kelly, Kelsey, Kenyon, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—44

NOES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Caminetti, Cartwright, Dolan, Dryden, Elliott, Emmons, Foreman, Godfrey, Hill, Houghton, Keables, Keegan, Lacy, Landsborough, Mahoney, Mulcrevy, McClellan, McGrath, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Toland, and Treacy—30

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Dibble, Cutter, and Shanahan as such committee.

Assembly Bill No. 936 referred to such select committee.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 410—An Act to provide for the payment of claims against the State of California arising under an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and making an appropriation therefor.

Read third time.

At twelve o'clock and fifteen minutes P. M., on motion of Mr. Emmons, the hour of recess was extended until the matter under consideration be disposed of.

So ordered.

PREVIOUS QUESTION.

The previous question was moved by Messrs. Dennery, Ryan, and Godfrey.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the final passage of Assembly Bill No. 410.

At one o'clock and fifteen minutes P. M., the Speaker resumed the chair.

The roll was called, and pending the announcement of the result, Mr. Emmons moved a call of the House.

The question being on a call of the House.

The ayes and noes were demanded by Messrs. Price, Ryan, and Treacy.

The roll was called, and the call of the House ordered by the following vote:

AYES—Messrs. Austin, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Cutter, Dennery, Dibble, Emmons, Foreman, Goff, Goodhue, Guy, Hudson, Jones, Kelsey, Landsborough, Mahoney, Mead, Mulcrevy, McClellan, Rubell, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Toland, and Waymire—32.

NOES—Messrs. Aldridge, Allen, Arnerich, Breiling, Canavan, Chynoweth, Clarke, Damon, Dolan, Ennis, Gately, Godfrey, Harris, Henry, Keegan, Kelly, Lacy, Leavitt, Lindenberger, Malcolm, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Sanford, Treacy, Valentine, and Mr. Speaker—31.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Arnerich, Austin, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cutter, Damon, Dennery, Dibble, Dolan, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hudson, Jones, Keegan, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Waymire, Wright, and Mr. Speaker.

Mr. Emmons moved that further proceedings under 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. Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Cutter, Dennery, Dibble, Dolan, Emmons, Gately, Godfrey, Goff, Goodhue, Guy, Henry, Houghton, Hudson, Jones, Keables, Kelly, Kelsey, Lacy, Landsborough, Mahoney, Malcolm, Mulcrevy, McClellan, McGrath, Pohlmann, Power of San Francisco, Price, Rubell, Ryan, Sims, Soward, Stansell, Strain, Toland, Waymire, and Wright—47.

NOES—Messrs Aldridge, Canavan, Chynoweth, Clarke, Damon, Dryden, Ennis, Foreman, Harris, Hill, Keegan, Leavitt, Lindenberger, North of Alameda, North of Yolo, Power of Placer, Sanford, Shanahan, Treacy, Valentine, and Mr. Speaker—21.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Price gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 410 was finally passed.

EXPLANATION OF VOTES.

By Mr. Wright:

I voted aye because I believe the State should pay its just obligations. The claims in some instances, I believe, are bad, but the Board of Examiners under the provisions of the bill have power of disapproving any claims, and I am content to leave with them the ultimate determination.

By Mr. Bridgford:

I vote for Assembly Bill No. 410 because I believe the State should pay its just obligations. Many of the claims are admittedly good. Some are admittedly bad. The

bill authorizes the State Board of Examiners to determine which are good and which are bad. Much of the appropriation, as I understand it, will not attach to this tax levy, for the reason that a large part of the money necessary has heretofore been raised and is now in the treasury, and the bill simply reappropriates it. The State Board of Examiners recommend the appropriation.

MOTIONS.

Mr. Dennery moved that when the Assembly take a recess, it be until three o'clock and thirty minutes P. M.

So ordered.

Mr. North, of Alameda, moved that Assembly Bill No. 419 be recalled from the printer.

So ordered.

RECESS.

At one o'clock and fifty-five minutes P. M., the Speaker declared a recess until three o'clock and thirty minutes P. M.

REASSEMBLED.

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

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 22—An Act to amend Section 5 of an Act entitled "An Act to provide a system of street-improvement bonds to represent assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Also: Assembly Bill No. 385—An Act to amend Section 2643 of the Political Code, relating to the duties of Boards of Supervisors respecting roads.

Also: Assembly Bill No. 679—An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and providing for the deposit of district records with County Recorders, and prescribing the effect to be given to recordation of notices of location and affidavits.

Also: Assembly Bill No. 810—An Act to amend Section 3 of an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, providing for the submission of the question of reincorporation of such corporations at special elections.

Also: Assembly Bill No. 916—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands.

And presented the same to the Governor on this day, at eleven o'clock and ten minutes A. M.

Also: Assembly Concurrent Resolution No. 9—Relative to welcoming to the State of California the societies of Christian Endeavor of the World, upon the occasion of their sixteenth annual international convention, to be held in the City of San Francisco, July 7 to 12, 1897—and presented the same to the Governor on this day, at eleven o'clock and ten minutes A. M.

FONTANA, Chairman.

MOTION.

Mr. Cutter moved that Assembly Bill No. 121 be substituted on file for Assembly Constitutional Amendment No. 30.

So ordered.

UNFINISHED BUSINESS—THIRD READING OF BILL.

Assembly Bill No. 121—An Act to create and regulate, in any city or city and county in this State, public warehouses, other than warehouses for the storage of grain or wool, and to enforce warehouse liens.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Boone, Burnham, Canavan, Cross, Cutter, Damon, Dibble, Dryden, Emmons, Ennis, Foreman, Godfrey, Goff, Harris, Henry, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Kenyon, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McCandlish, North of Alameda, Pohlmann, Power of Placer, Price, Rubell, Sims, Stansell, Strain, Vosburg, Waymire, Wright, and Mr. Speaker—45.

NOES—Messrs. Anderson, Cartwright, Elliott, Landsborough, McClellan, Soward, and Treacy—7.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Stansell gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 121 was finally passed.

SPECIAL URGENCY FILE.

Assembly Bill No. 928—An Act appropriating money to pay the expenses of collecting, preparing, forwarding, installing and maintaining, taking down and returning an exhibit of the products of the State of California at the Hamburg Horticultural Exposition, to be held at Hamburg, Germany, in 1897, and to provide for a commission, secretary of commission, and the pay of the secretary thereof.

Read second time.

Mr. Malcolm 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. 928.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 928 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 928—An Act appropriating money to pay the expenses of collecting, preparing, forwarding, installing and maintaining, taking down and returning, an exhibit of the products of the State of California at the Hamburg Horticultural Exposition, to be held at Hamburg, Germany, in 1897, and to provide for a commission, secretary of commission, and the pay of the secretary thereof—and now report the same back to the House, and recommend that the same do pass

COOMBS, Chairman

Report adopted.

Assembly Bill No. 882—An Act to amend Section 718 of the Civil Code, relating to the length of leases of city lots.

Read second time.

The following amendments were submitted by Mr. North, of Alameda:

Amend by inserting the following after the word "valid," in line 5: "*provided*, that this section shall not apply to any town or city lot owned or to be hereafter acquired by such town or city."

Adopted.

Also: Amend Section 1, line 4, of printed bill, by striking out the word "ninety-nine," and inserting the following: "fifty."

Adopted.

Assembly Bill No. 882 ordered to engrossment, printer, and third reading.

Assembly Bill No. 981—An Act for the establishment of a uniform system of road government and administration in the counties of the State of California.

Read second time, and ordered to engrossment and third reading.

SENATE SPECIAL FILE.

Senate Bill No. 495—An Act to amend Section 622 of the Political Code of the State of California, relating to the retaliatory clause concerning insurance companies.

Read second time, and placed on file for third reading.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 959—An Act to amend Section 35 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to the duties of Superintendent of Streets in municipalities having a population of over fifty thousand inhabitants.

Read second time, and ordered to engrossment and third reading.

Assembly Bill No. 141—An Act to regulate the profession, and provide for the registration of public accountants.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Americh, Austin, Breiling, Bridgford, Caminetti, Canavan, Dibble, Dolan, Elliott, Ennis, Foreman, Godfrey, Goff, Goodhue, Henry, Jones, Keables, Keegan, Kelly, Kelsey, Kenyon, Landsborough, Lindenberger, Mahoney, Malcolm, Melick, McGrath, North of Alameda, North of Yolo, Pohlmann Power of San Francisco, Sanford, Sims, Soward, Stansell, Strain, Vosburg, Waymire, and Wright—42.

NOES—Messrs. Boone, Hudson, McClellan, and Rubell—4.

Title read and approved.

Assembly Bill No. 948—An Act for the relief of John Mullan, and to appropriate money therefor.

Read second time.

Mr. Ennis 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. 948.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 948 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 948—An Act for the relief of John Mullan, and to appropriate money therefor—and now report the same back to the House, and recommend that the same do pass.

COOMBS, Chairman.

Assembly Bill No. 948 ordered to engrossment and third reading.

Assembly Bill No. 728—An Act to amend Section 4 of an Act entitled "An Act for the incorporation of societies for the prevention of cruelty to children," approved April 3, 1876.

Read second time.

Mr. Ennis moved that Assembly Bill No. 499 be substituted on file for Assembly Bill No. 728.

So ordered.

Assembly Bill No. 885 (Substitute for Assembly Bill No. 833)—An Act to authorize the Board of Education of the City and County of San Francisco to lease school lots in said city and county.

Read second time.

The following amendments were submitted by Mr. Pohlmann:

Amend by striking out of title, line 2, the words "San Francisco," and inserting the following after the words "said city": "or city."

Lost.

Also: Amend by striking out of title, line 1, the words "of education," and the word "the"; also, after the word "county" the word "of," and inserting the following after the words "education of": "city", add "or city."

Lost.

Also: Amend by striking out of Section 1, line 1, the word "the," and inserting the following: "any," after the words "education of", also, after the word "city," add the words "or city."

Lost.

Also: Amend by striking out of Section 1, line 2, the words "of San Francisco is," and inserting the word "are" preceding the word "hereby."

Lost.

Also: Amend by striking out of Section 1 all after the words "may require," in line 19.

Lost.

Also: Amend by striking out of Section 1, lines 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30; also, the word "month," in line 31

Lost.

Also: Amend by striking out of Section 2, line 3, the word "the" after the words "education of"; also, the word "of" after the word "county," and inserting the following after the words "education of". "any", also, after the word "city," "or city."

Lost.

Also: Amend by striking out of Section 2, line 4, the word "San Francisco."

Lost.

Assembly Bill No. 885 ordered to engrossment and third reading.

Senate Bill No. 56—An Act to provide for the purchase of additional lands, and improving the same, at the Folsom State Prison, and making an appropriation therefor.

Read second time.

Mr. Sims 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. 56.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 56 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1897.

MR SPEAKER: Your Committee of the Whole, to whom was referred Senate Bill No 56—An Act to provide for the purchase of additional lands and improving the same at the Folsom State Prison, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back to the House, and recommend that it do pass.

COOMBS, Chairman.

Senate Bill No. 56 ordered to third reading.

Assembly Bill No. 277—An Act to amend Section 3766 of the Political Code of the State of California, relating to the publication of the delinquent tax list.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Clarke, Cross, Dibble, Dryden, Emmons, Fontana, Foreman, Goodhue, Guy, Henry, Houghton, Hudson, Keegan, Kelly, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, McClellan, Pohlmann, Power of Placer, Price, Rubell, Sanford, Sims, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—48.

NOES—Mr. Belshaw—1.

Title read and approved.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 30.

Proposed constitutional amendment, relative to revenue and taxation.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session commencing on the fourth day of January, eighteen hundred and ninety-seven, two thirds of the members elected to each of the two houses voting in favor thereof, hereby propose that section one of article thirteen of the Constitution of the State of California be amended to read as follows:

Section 1. All property in the State, not exempt under the laws of the United States, shall be taxed in proportion to its value, to be ascertained as provided by law. The word "property," as used in this acticle and section, is hereby declared to include moneys, credits, bonds, stocks, dues, special franchises, and all other matters and things, real, personal and mixed, capable of private ownership; *provided*, that property used for free public libraries and free museums, growing crops, property used exclusively for public schools, and such as may belong to the United States, this State, or to any county or municipal corporation within this State, shall be exempt from taxation; *provided, also*, that all vessels registered or enrolled 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 license taxes or regulation, and from all local and state taxation. The Legislature may provide, except in case of credits secured by mortgage or trust deed, for a deduction from credits of debts due to bona fide residents of this State.

The question being on the adoption of the constitutional amendment.

The roll was called, and Constitutional Amendment No. 30 adopted by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Boone, Breiling, Burnett, Burnham, Caminetti, Canavan, Cartwright, Cross, Cutter, Damon, Dibble, Dolan, Elliott, Emmons, Ennis, Fontana, Foreman, Goff, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Keables, Keegan, Kelly, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Malcolm, Mead, Mulcrevy, McClellan, North of Alameda, Pohlmann, Power of Placer, Rubell, Ryan, Sims, Soward, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—55.

NOES—Messrs. Bridgford, Lindenberger, Melick, Shanahan, and Strain—5.

Senate Bill No. 614—An Act making an appropriation for the erection of a ward building 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 Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Breiling, Bridgford, Burnett, Burnham, Caminetti, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Jones, Keables, Kelly, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, Pohlmann, Power of Placer, Price, Rubell, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, Wright, and Mr. Speaker—59.

NOES—Mr. Boone—1.

Title read and approved.

At four o'clock and forty minutes P. M., the Speaker called Mr. Treacy to the chair.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 507—An Act to authorize the State Board of Harbor Commissioners to establish and maintain a free public market upon the waterfront of San Francisco, and providing for the expenses and regulations thereof.

Read second time.

The following amendments were submitted:

By Mr. Clarke:

Amend printed Senate bill, Section 3, line 10, after the word "State," by inserting the following: "not now producing revenue to the State"

Adopted.

Also: Amend by striking out of Section 3, line 8, the words "the cars of all lines bringing perishable products into the city," and inserting the following: "all cars of all lines loaded with perishable products"

Adopted.

Mr. Toland moved to reconsider the vote by which the first amendment, offered by Mr. Clarke, was adopted.

So ordered.

The question being on the adoption of the first amendment.

The same was lost.

At five o'clock and twenty minutes P. M., the Speaker resumed the chair.

By Mr. Price:

Amend by adding to Section 5, line 2, after the word "products," "and all commission merchants or other agents of producers, who shall make application therefor and agree to transact business within said free market solely for producers' account and."

Lost.

By Mr. Shanahan:

Amend the amendment by striking out the words "commission merchants or other."

Adopted.

The question being on the motion of Mr. Price, as amended.

The same was lost.

Mr. Cartwright moved to reconsider the vote whereby the amendment offered by Mr. Price was defeated.

Lost.

Senate Bill No. 507 ordered to printer and third reading.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 897—An Act to authorize the Governor to employ an agent to collect certain claims due the State of California by the United States, and to provide compensation for such services.

Read second time.

The following amendments were submitted:

In Section 1, strike out all of line 9 after the word "respectively" therein, and strike out all of line 10 down to and including the word "collect" therein.

Adopted.

Also: At end of Section 1, insert as follows: "*and provided further*, that nothing herein contained shall be construed as authorizing said agent to collect any sum or sums referred to in Senate Concurrent Resolution No. 36, adopted March 1, 1872, and Senate Concurrent Resolution No. 12, adopted February 26, 1881."

Adopted.

Assembly Bill No. 897 ordered to reengrossment, printer, and third reading.

At five o'clock and forty-five minutes P. M., the Speaker called Mr. Stansell to the chair.

Assembly Bill No. 577—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.

At five o'clock and fifty-five minutes P. M., the Speaker resumed the chair.

Mr. Toland moved to pass Assembly Bill No. 577 on file until to-morrow at three o'clock and thirty minutes P. M.

So ordered.

RECESS.

At six o'clock P. M., on motion of Mr. Sims, the Assembly took a recess until eight o'clock P. M.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

MOTION TO RECONSIDER.

Mr. North, of Alameda, moved to reconsider the vote by which the following amendments to Senate Bill No. 419 were on yesterday adopted.

Motion carried, and it was so ordered.

Amend title by striking out all of line 1, after the word "provide"; also, the words "of apparatus for the," on line 2.

Also: After the word "proper," on line 2, the words "and perfect."

Also: Strike out the word "automatic," on line 3, and after the word "therefor," at end of title, add "and to provide for the control of the State Capitol building"

Also: Amend Section 1 by striking out all on line 4 after the word "commissioner", all on line 5 and 6, to and including the word "apparatus."

Also: Strike out on line 6 the words "and perfect," after the word "proper."

After Section 2 add as follows:

SEC. 3. The State Capitol building shall be under the control and management of the State Board of Capitol Commissioners

Also: Strike out the number 3 in Section 3, and insert 4

Also: Add:

SEC. 5. All Acts and parts of Acts in conflict with this Act are hereby repealed.

Amendments lost.

Senate Bill No. 419—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor.

The following amendments were submitted:

By Mr. North, of Alameda:

Amend the printed bill by striking out of Section 1, line 4, after the word "commissioner," balance of line 4, line 5, all of line 6, except the words "to provide proper."

Also: Amend the title of the printed bill so as to read "to provide proper ventilation, temperature, and sanitation of the State Capitol building, and making an appropriation therefor."

Adopted.

Also: Amend the printed bill by striking out of Section 1, in line 7, the word "automatic."

Adopted.

By Mr. Caminetti:

Amend line 1, Section 1, by striking out the words "seventy-five thousand" and inserting the words "eighty-five thousand."

Lost.

Bill ordered to printer, reëngrossment, and third reading.

MOTION.

Mr. Emmons moved to reconsider the vote by which Assembly Constitutional Amendment No. 26 was refused adoption.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Cutter, Cross, and Ennis.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the motion of Mr. Emmons to reconsider.

The same was reconsidered.

Assembly Constitutional Amendment No. 26—Proposed amendment to Section 1 of Article II of the Constitution, relative to the right of suffrage.

The question being on the final passage of the resolution.

The roll was called.

Pending the announcement of the result, Mr. Emmons moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Breiling, Bridgford, Burnett, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Harris, Henry, Hill, Houghton, Hudson, Keables, Keegan, Kelly, Kelsey, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, Wright, and Mr. Speaker.

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

So ordered.

The result of the roll call was announced, and Constitutional Amendment No. 26 refused adoption by the following vote:

AYES—Messrs. Aldridge, Breiling, Bridgford, Burnett, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Dennery, Dryden, Elliott, Emmons, Foreman, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Keables, Keegan, Kelly, Lindenberger, Melick, Mulcrevy, Power of Placer, Power of San Francisco, Price, Rubell, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Waymire, and Wright—40.

NOES—Messrs. Allen, Arnerich, Cross, Cutter, Dibble, Dolan, Ennis, Gately, Godfrey, Henry, Kelsey, Kenyon, Lacy, Leavitt, Mahoney, Malcolm, Mead, McGrath, North of Alameda, North of Yolo, Pohlmann, Ryan, Sanford, Vosburg, and Mr. Speaker—25.

RESOLUTION.

By Mr. Caminetti:

Resolved, That debate on all motions to reconsider any vote by which any bill or resolution has been lost, passed, or adopted shall be limited to five minutes on each side of the question, unless by unanimous consent the time is extended

Adopted.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 261—An Act to provide for the purchase of a portrait of ex-Governor Henry H. Markham, by the State Board of Examiners, and to appropriate money therefor.

Read third time.

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. 261.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 261 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 261—An Act to provide for the purchase of a portrait of ex-Governor Henry H. Markham, by the State Board of Examiners, and to appropriate money therefor—and now report the same back, and recommend that the same do pass.

COOMBS, Chairman.

Report adopted.

The question being on the final passage of Senate Bill No. 261.

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

AYES—Messrs. Arnerich, Bridgford, Burnett, Caminetti, Canavan, Cartwright, Cross, Cutter, Dennery, Dibble, Elliott, Emmons, Ennis, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Keegan, Kelly, Kelsey, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, Pohlmann, Power of Placer, Price, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Waymire, Wright, and Mr. Speaker—46.

NOES—Messrs. Aldridge, Clarke, Dryden, and Rubell—4.

Title read and approved.

Senate Bill No. 620—An Act making an appropriation to pay for the repairs and construction of buildings in Yosemite Valley, and for the improvement of the valley.

Read second time.

Assembly Bill No. 615—An Act to pay the claim of A. J. Bourne 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. Aldridge, Arnerich, Bridgford, Burnett, Caminetti, Canavan, Cartwright, Clarke, Cross, Cutter, Dennery, Dibble, Dolan, Emmons, Ennis, Godfrey, Goff, Harris, Henry, Hill, Houghton, Hudson, Keegan, Kelsey, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Mulcrevy, McGrath, Power of Placer, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Toland, Vosburg, Waymire, Wright, and Mr. Speaker—45.

NOES—Mr. Melick—1.

Title read and approved.

At nine o'clock and twenty-five minutes P. M., the Speaker called Mr. Leavitt to the chair.

Assembly Bill No. 271—An Act to pay the claim of Major José Ramon Pico, 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. Aldridge, Allen, Arnerich, Breiling, Burnett, Canavan, Clarke, Cross, Cutter, Dennery, Dibble, Dolan, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Houghton, Keegan, Kelly, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McGrath, Pohlmann, Power of Placer, Power of San Francisco, Ryan, Sanford, Sims, Soward, Stansell, Strain, Treacy, Vosburg, and Mr. Speaker—46

NOES—Messrs. Bridgford, Elliott, Hill, North of Alameda, Price, and Wright—6.

Title read and approved.

Assembly Bill No. 521—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, as instructress and silk expert.

Read second time.

Assembly Bill No. 206—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in lithographing maps, etc., for the Commissioner of Public 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. Aldridge, Allen, Arnerich, Austin, Bridgford, Burnett, Canavan, Cross, Cutter, Dibble, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Guy, Harris, Henry, Hill, Jones, Keegan, Kenyon, Lacy, Leavitt, Mahoney, Malcolm, Mead, Melick, Mulcrevy, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sanford, Sims, Soward, Treacy, Vosburg, and Waymire—45.

NOES—None.

Title read and approved.

Assembly Bill No. 207—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in furnishing maps to the State Mining Bureau.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Bridgford, Canavan, Cross, Cutter, Dibble, Dolan, Dryden, Elliott, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Jones, Keegan, Kelly, Kelsey, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, Power of Placer, Power of San Francisco, Rubell, Sanford, Sims, Soward, Strain, Treacy, Vosburg, and Waymire—45.

NOES—None.

Title read and approved.

Assembly Bill No. 213—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of Southern Pacific Company vs. The Board of Railroad Commissioners 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. Aldridge, Allen, Arnerich, Austin, Bridgford, Canavan, Cross, Dibble, Dolan, Dryden, Elliott, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Jones, Keegan, Kelly, Kelsey, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McGrath, Pohlmann, Power of Placer, Price, Rubell, Sanford, Shanahan, Sims, Soward, Strain, Treacy, Vosburg, and Waymire—46.

NOES—None.

Title read and approved.

Assembly Bill No. 340—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of Southern Pacific Company vs. The Board of Railroad 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. Aldridge, Allen, Arnerich, Austin, Bridgford, Canavan, Cross, Cutter, Dibble, Dolan, Dryden, Emmons, Ennis, Godfrey, Goff, Goodhue, Guy, Henry, Hill, Houghton, Jones, Keegan, Kelly, Kelsey, Lacy, Leavitt, Mahoney, Malcolm, Melick, Mulcrevy, McGrath, Pohlmann, Power of Placer, Price, Rubell, Shanahan, Sims, Soward, Strain, Toland, Treacy, Vosburg, and Waymire—43.

NOES—None.

Title read and approved.

Assembly Bill No. 5—An Act for the relief of 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.

Assembly Bill No. 408—An Act to pay the claim of Paris Kilburn, J. B. Fuller, and H. W. Magee, Bank Commissioners of the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 502—An Act for the relief of W. C. Guirey.

Read second time.

Assembly Bill No. 912—An Act making an appropriation to pay the claim of the Southern Pacific Company.

Read second time.

Assembly Bill No. 317—An Act appropriating the sum of $15,000 for the erection in Golden Gate Park, San Francisco, California, of a monu-

ment or statue to the memory of Colonel E. D. Baker, and appointment of a commission to carry into effect the provisions of this Act.

Read second time.

Assembly Bill No. 159—An Act to pay the claim of William M. Sullivan against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 319—An Act making an appropriation to pay the sum fixed, awarded, and allowed by the State Board of Examiners as fees for services to date of the additional counsel employed to assist the Attorney-General in the defense of the suit brought in the United States Circuit Court for the Northern District of California by the Southern Pacific Company against the Board of Railroad Commissioners of the State of California.

Read second time.

Assembly Bill No. 241—An Act making an appropriation to pay the expenses incurred for the funeral of the late State Librarian, W. D. Perkins.

Read second time.

Assembly Bill No. 232—An Act making an appropriation to pay for advertising the constitutional amendments for 1894.

Read second time.

Assembly Bill No. 161—An Act to pay the claim of William H. Donnelly against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 118—An Act making an appropriation to pay the claim of the Evening Express Company, of Los Angeles, California.

Read second time.

MOTION.

Mr. Sims moved that Assembly Bill No. 529 be substituted for Assembly Bill No. 339.

So ordered.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 529—An Act to amend an Act entitled "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," approved March 26, 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 Aldridge, Allen, Arnerich, Austin, Bridgford, Burnett, Caminetti, Canavan, Cross, Cutter, Dibble, Dryden, Elliott, Emmons, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Kelsey, Leavitt, Mahoney, Malcolm, Melick, Mulcrevy, McGrath, Pohlmann, Power of Placer, Power of San Francisco, Rubell, Sims, Soward, Stansell, Strain, Toland, Treacy, Vosburg, and Waymire—46.

NOES—None.

Title read and approved.

Assembly Bill No. 901—An Act providing for the relief of John J. Conlin, authorizing and empowering the Board of Supervisors of the City and County of San Francisco to order paid to said Conlin, his assigns or legal representatives, the amount of money which they may

find to be due the said Conlin, for work performed and material furnished on the public streets, sidewalks, and sewers of the City and County of San Francisco, as shown by the books kept by the Superintendent of Public Streets and Highways of said city and county, and directing the Auditor of said city and county to audit the demand of said Conlin for said amount as found by said Supervisors, and issue his warrant therefor, and the Treasurer of said city and county to pay said warrant.

Read second time.

Assembly Bill No. 735—An Act making an appropriation to pay the claim of Charles Nelson, arising upon a judgment recovered by said Nelson against the State of California, in the Superior Court of the City and County of San Francisco, on May 27, 1896.

Read second time.

Assembly Bill No. 874—An Act to pay the claim of the County of Santa Clara, and making an appropriation therefor.

Read second time.

Assembly Bill No. 914—An Act to pay the claim of the County of Napa, and making an appropriation therefor.

Read second time.

Assembly Bill No. 561—An Act to appropriate $7,082 to pay the claim of Francis Williams, for services rendered the State of California as an Irrigation Commissioner.

Read second time.

Assembly Bill No. 717—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. 958—An Act to repay and reimburse John C. Pelton for money expended and for services rendered in establishing the first free public school in the State of California.

Read second time.

MOTION.

Mr. Cutter moved that the House resolve itself into Committee of the Whole, with Mr. Leavitt in the chair, for the purpose of considering Senate Bill No. 620 and Assembly Bills Nos. 521, 5, 408, 502, 912, 317, 159, 319, 241, 232, 161, 118, 735, 874, 914, 561, 717, and 958.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Leavitt in the chair.

Senate Bill No. 620, and Assembly Bills Nos. 521, 5, 408, 502, 912, 317, 159, 319, 241, 232, 161, 118, 735, 874, 914, 561, 717, and 958, were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Leavitt in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 620—An Act making an appropriation to pay for the repairs and construction of buildings in Yosemite Valley, and for the improvement of the valley.

Also: Assembly Bill No. 521—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture as instructress and silk expert.

Also: Assembly Bill No 5—An Act for the relief 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: Assembly Bill No. 408—An Act to pay the claim of Paris Kilburn, J. B. Fuller, and H. W. Magee, Bank Commissioners of the State of California, and making an appropriation therefor.

Also: Assembly Bill No 502—An Act for the relief of W. C Guirey.

Also: Assembly Bill No. 912—An Act making an appropriation to pay the claim of the Southern Pacific Company.

Also: Assembly Bill No. 317—An Act appropriating the sum of $15,000 for the erection of a statue to the memory of Colonel E. D. Baker, and appointment of a commissioner to carry into effect the provisions of this Act.

Also: Assembly Bill No. 159—An Act to pay the claim of William M. Sullivan, and making an appropriation therefor.

Also: Assembly Bill No. 319—An Act making an appropriation to pay the sum fixed, awarded, and allowed by the State Board of Examiners, as fees for services to date of the additional counsel retained to assist the Attorney-General in the defense of the suit brought in the United States Circuit Court for the Northern District of California by the Southern Pacific Railroad Company against the Board of Railroad Commissioners of California.

Also: Assembly Bill No. 241—An Act making an appropriation to pay the expenses incurred for the funeral of the late State Librarian, W. D. Perkins.

Also: Assembly Bill No 232—An Act making an appropriation to pay for advertising the constitutional amendments for 1894.

Also: Assembly Bill No. 161—An Act to pay the claim of W. H. Donnelly against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 118—An Act making an appropriation to pay the claim of the Evening Express Company, of Los Angeles, California.

Also: Assembly Bill No 735—An Act making an appropriation to pay the claim of Charles Nelson, arising upon the judgment recovered by said Nelson against the State of California, in the Superior Court of the City and County of San Francisco, on May 27, 1896.

Also: Assembly Bill No. 874—An Act to pay the claim of the County of Santa Clara, and making an appropriation therefor.

Also: Assembly Bill No. 914—An Act to pay the claim of the County of Napa, and making an appropriation therefor.

Also: Assembly Bill No. 561—An Act to appropriate $7,082 to pay the claim of Francis Williams, for services rendered the State of California as an Irrigation Commissioner.

Also: Assembly Bill No. 717—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. 958—An Act to repay and reimburse John C. Pelton for money expended and for services rendered in establishing the first free public school in the State of California.

And now report the same back to the House, as follows:

Senate Bill No. 620 and Assembly Bills Nos 521, 408, 502, 912, 241, 232, 161, 118, 735, 874, 914, and 717, with recommendation that the same do pass.

Also: Assembly Bills Nos. 5, 159, 317, 319, 561, 958, with amendments, and recommendation that each do pass as amended.

LEAVITT, Chairman.

Report adopted.

Senate Bill No. 620—An Act making an appropriation to pay for the repairs and construction of buildings in Yosemite Valley, and for the improvement of the valley.

Ordered engrossed and to third reading.

Assembly Bill No. 521—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, as instructress and silk expert.

Ordered engrossed and to third reading.

Assembly Bill No. 5—An Act for the relief of Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

The following amendment was submitted:

Amend Section 1 by striking out the words "seven thousand five hundred," and inserting in lieu thereof the words "five thousand."

Adopted.

Assembly Bill No. 5 ordered to printer, engrossment, and third reading.

Assembly Bill No. 408—An Act to pay the claim of Paris Kilburn,

J. B. Fuller, and H. W. Magee, Bank Commissioners of the State of California, and making an appropriation therefor.

Ordered engrossed and to third reading.

Assembly Bill No. 502—An Act for the relief of W. C. Guirey.

Ordered engrossed and to third reading.

Assembly Bill No. 912—An Act making an appropriation to pay the claim of the Southern Pacific Company.

Ordered engrossed and to third reading.

Assembly Bill No. 317—An Act appropriating the sum of $15,000 for the erection in Golden Gate Park, San Francisco, California, of a monument or statue to the memory of Colonel E. D. Baker, and appointment of a commission to carry into effect the provisions of this Act.

The following amendment was submitted:

Amend Section 2 by filling the first blank with the name "E. B. Jerome," the second blank with the name "W. W. Montague," and the third blank with the name "Mark Sheldon."

Adopted.

Assembly Bill No. 317 ordered to printer and third reading.

Assembly Bill No. 159—An Act to pay the claim of William M. Sullivan against the State of California, and making an appropriation therefor.

The following committee amendments were submitted:

Amend Section 1, line 1, of printed bill, by striking out the words and figures "twenty-five hundred (2,500)," and inserting in lieu thereof the words "five hundred."

Adopted.

Also: Amend Section 2, line 2, of printed bill, by striking out the words and figures "twenty-five hundred (2,500)," and inserting in lieu thereof the words "five hundred."

Assembly Bill No. 159 ordered to printer, reëngrossment, and third reading.

Assembly Bill No. 319—An Act making an appropriation to pay the sum fixed, awarded, and allowed by the State Board of Examiners as fees for services to date of the additional counsel employed to assist the Attorney-General in the defense of the suit brought in the United States Circuit Court for the Northern District of California by the Southern Pacific Company against the Board of Railroad Commissioners of the State of California.

The following committee amendment was submitted:

Amend Section 2, line 1, of printed bill, by striking out the words "twenty-five thousand" and inserting in lieu thereof the words "twelve thousand five hundred."

Adopted.

Assembly Bill No. 319 ordered to printer and third reading.

Assembly Bill No. 241—An Act making an appropriation to pay the expenses incurred for the funeral of the late State Librarian, W. D. Perkins.

Ordered engrossed and to third reading.

Assembly Bill No. 232—An Act making an appropriation to pay for advertising the constitutional amendments for 1894.

Ordered engrossed and to third reading.

Assembly Bill No. 161—An Act to pay the claim of William H. Donnelly against the State of California, and making an appropriation therefor.

The following amendments were submitted:

Amend Section 1 by striking out the word "ten" and inserting in lieu thereof the word "five."

Adopted.

Also: Amend Section 2 by striking out the word "ten" and inserting in lieu thereof the word "five."

Adopted.

Assembly Bill No. 161 ordered to printer and third reading.

Assembly Bill No. 118—An Act making an appropriation to pay the claim of the Evening Express Company, of Los Angeles, California.

Ordered engrossed and to third reading.

Assembly Bill No. 735—An Act making an appropriation to pay the claim of Charles Nelson, arising upon the judgment recovered by said Nelson against the State of California, in the Superior Court of the City and County of San Francisco, on May 27, 1896.

Ordered engrossed and to third reading.

Assembly Bill No. 874—An Act to pay the claim of the County of Santa Clara, and making an appropriation therefor.

Ordered engrossed and to third reading.

Assembly Bill No. 914—An Act to pay the claim of the County of Napa, and making an appropriation therefor.

Ordered engrossed and to third reading.

Assembly Bill No. 561—An Act to appropriate $7,082 to pay the claim of Francis Williams, for services rendered the State of California as an Irrigation Commissioner.

The following amendments were submitted:

Amend original bill, Section 1, line 1, by striking out the words "seven thousand and eighty-two" and inserting in lieu thereof the words "four thousand."

Adopted.

Also: Amend Section 2, line 2, original bill, by striking out the words "seven thousand and eighty-two" and inserting in lieu thereof the words "four thousand."

Adopted.

Assembly Bill No. 561 ordered to printer and third reading.

Assembly Bill No. 717—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.

Ordered engrossed and to third reading.

Assembly Bill No. 958—An Act to repay and reimburse John C. Pelton for money expended and for services rendered in establishing the first free public school in the State of California.

The following committee amendments were submitted:

Amend the title so as to read as follows: "An Act for the relief of John C Pelton, and to appropriate money therefor"

Adopted.

Also: Amend Section 1 so as to read as follows: "The sum of one hundred dollars ($100) per month, payable monthly for a period of twenty-five months, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, for the relief of John C. Pelton; *provided, however*, should the said John C. Pelton die before said period has elapsed, the payments herein provided for shall be continued to his

wife, or in case of her death shall be paid to the legal guardians of the children of said John C. Pelton, or in case none of said children shall survive her, then such monthly payments shall upon her death cease."

Adopted.

Also: Amend Section 2 so as to read as follows:

SEC 2 The Controller of the State is hereby directed to draw his warrant monthly for the sum of one hundred dollars, during the said period of twenty-five months, in favor of the said John C Pelton, until he shall die, if such event shall occur before the expiration of said period, or for his wife, or the legal guardians of his children, as provided for in section one of this Act, and the Treasurer of State is hereby directed to pay the same; and the direction to the Controller herein and said Treasurer is hereby exempted from the provision of sections four hundred and fifty-three and six hundred and seventy-two of the Political Code of the State of California.

Adopted.

Also: Add a new section to bill, to be known and numbered as "Section 3," to read as follows:

SEC. 3. Said warrants shall not be assignable.

Adopted.

Also: Make Section 3 of printed bill to be known as "Section 4"

Adopted.

Assembly Bill No. 958 ordered to printer, reëngrossment, and third reading.

MOTIONS.

Mr. Dibble moved to reconsider the vote whereby the amendment offered by Mr. North, of Alameda, to Assembly Bill No. 882 was adopted.

So ordered.

The question being on the adoption of the amendment.

Refused adoption.

Mr. Caminetti moved that Assembly Bill No. 339 be taken up out of order and read second time.

So ordered.

Assembly Bill No. 339—An Act to appropriate $4,750 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 second time.

Mr. Caminetti moved that the Assembly now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 339.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 339 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 339—An Act to appropriate $4,750 as compensation to the California Demokrat

Publishing Company for having published the constitutional amendments, during the year 1894—and now report the same back, and recommend that the same do pass.

COOMBS, Chairman

Assembly Bill No. 339 ordered to engrossment, printer, and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 984—An Act making an appropriation to pay for the expenses incurred by Assembly Concurrent Resolution No 6, appointing a joint committee of the Senate and Assembly to investigate the affairs of the State Printing Office—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUY, Chairman.

Assembly Bill No. 984 placed on file for second reading.

By Mr. Guy:

ASSEMBLY CONCURRENT RESOLUTION No. 13.

Relative to consent of the Legislature to the absence of the Governor of the State, James H. Budd, from the State for a period not to exceed six months.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California has consented, and does hereby consent, that the Governor of the State of California, the Hon. James H. Budd, may depart from the State of California at any time during the remainder of his official term, and remain absent for a period of not to exceed six months from and immediately succeeding the time of his departure.

The question being on the adoption of Assembly Concurrent Resolution No. 13.

The roll was called, with the following result:

AYES—Messrs. Allen, Arnerich, Austin, Burnett, Caminetti, Canavan, Cross, Cutter, Dolan, Elliott, Emmons, Ennis, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Jones, Kelly, Lacy, Lindenberger, Mahoney, Malcolm, Power of Placer, Price, Sims, Soward, Treacy, Vosburg, Waymire, and Mr. Speaker—34.

NOES—None.

ADJOURNMENT.

The roll call disclosing that there was no quorum present, at eleven o'clock P. M. the Speaker declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 12, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North

of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. L. Miel.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Tuesday, March 9th, was approved as corrected.

ASSEMBLY CONCURRENT RESOLUTION No. 13.

Relative to consent of the Legislature to the absence of the Governor of the State, James H Budd, from the State for a period not to exceed six months.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California has consented, and does hereby consent, that the Governor of the State of California, the Hon. James H. Budd, may depart from the State of California at any time during the remainder of his official term, and remain absent for a period of not to exceed six months from and immediately succeeding the time of his departure.

The question being on the adoption of Assembly Concurrent Resolution No. 13.

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

AYES—Messrs Aldridge, Allen, Anderson, Arnerich, Austin, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Goff, Goodhue, Guy, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, McGrath, North of Yolo, Pohlmann, Power of Placer, Price, Rubell, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Vosburg, and Mr. Speaker—58.

NOES—None.

MOTION.

On motion of Mr. Emmons, the report of the Committee on Contested Elections was taken up.

REPORT OF COMMITTEE ON CONTESTED ELECTIONS.

MR. SPEAKER: Your Committee on Contested Elections, having had under consideration the claims in the case of Kelsey vs. McLaurin, of the Fifty-fifth Assembly District, beg to report as follows, viz.

Louis Montgomery, attorney for Kelsey:

Attorney's fees	$100 00	
Stenographer's fees	30 60	
Filing petition	7 00	
Sheriff's fees	3 00	
		$140 60
J. D. Kelsey, witness fees		101 00
V. A. Scheller, attorney for J. J. McLaurin		100 00
John W. Sullivan, attorney for J. J. McLaurin		100 00
J. J. McLaurin, witness fees		145 00
J Harrington, Justice's fees		86 10
W. H. Dwyer, Justice's fees		86 10
M. V. Collins, reporter's fees		227 80
Edward Haley, serving subpœnas		7 50
T. W. Measure, watchman		36 65
Henry A. Pfister, County Clerk		65 60
A Searles, tally clerk, one day		5 00
S. F. Smith, tally clerk, four days		20 00
J. H. Jordan, tally clerk, five days		25 00
W. C. Randolph, calling ballots, five days		25 00
P. Desmond, stringing ballots, five days		25 00

A. A. Friedlander, Sergeant-at-Arms to committee:

January 25, 1897, one day	$5 00
February 4, 1897, one day	5 00
February 5, 1897, one day	5 00
February 16th to 20th, inclusive	25 00
	$40 00

And herewith offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrants, and the Treasurer is instructed to pay the same, in favor of the parties named, and whose claims are approved in the above report, for the several amounts set opposite their respective names.

AMENDED REPORT.

Strike out the following items:

Stenographer's fees	$30 60
Filing petition	7 00
Sheriff's fees	3 00
Witness fees	101 00
J. J. McLaurin, witnesses	145 00
J. Harrington, Justice's fees	86 10
W. H. Dwyer, Justice's fees	86 10
M. V. Collins, reporter's fees	227 80
Edward Haley, serving subpœnas	7 50
Total	$694 10

The question being on the adoption of the amended report.

Lost.

The question now recurring on the report and resolution.

Adopted.

Also:

MR SPEAKER: Your Committee on Contested Elections beg to submit the following supplementary report in the cases of Bennett vs. Toland and Code vs Mahoney, as printed in the Journals of February 15th, page 6, and March 9th, page 28, and offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrants, and the Treasurer is instructed to pay the same, in favor of the parties named, and whose claims are approved for the several amounts set opposite their respective names, as per bills attached:

Peter Bennett, contestant:

Cost of filing contest and service	$4 00
Justices' fees, 350 folios, @ 25 cents	87 50
Three hundred and fifty folios testimony, @ 20 cents	70 00
Briefs	5 30
Total	$166 80

T. O. Toland, contestee:

Expenses in attending commission	$72 00
Serving subpœnas and witness fees	10 70
Total	$82 70

John R. Aitken, attorney for P. D. Code, Jr.:

Reporter's fees, five days, @ $10 00 (one half)	$25 00
One hundred and eight folios testimony, @ 20 cents	21 60
Total	$46 60

Respectfully submitted

KENYON, Chairman.

Report adopted.

Also:

MR. SPEAKER: Your Committee on Contested Elections have had under consideration the claims of Lundquist vs. Dennery, Code vs. Mahoney, and Hedemark vs. Dolan, as referred to them by the Sub-Committee on Judiciary, and beg to report that, owing to the lateness of the session, they do not consider it advisable to investigate said cases, and offer the following resolution:

Resolved, That the sitting members, Leon Dennery, Frank Mahoney, and L. J. Dolan, are hereby declared entitled to their seats in the thirty-second session of the Assembly of the State of California, and that the Controller be and he is hereby authorized to draw his warrants, and the Treasurer is instructed to pay the same, in favor of the parties

named, and whose claims are approved for the several amounts set opposite their respective names, as per attached bills:

Leon Dennery, contestee:

Mileage to San Francisco, two trips	$36 00
Sixteen witnesses, nine days each, @ $2 00	288 00
Justice's fees, 740 folios, @ 12½ cents	91 25
Serving sixteen subpœnas, @ 25 cents	4 00
Stenographer's fees, nine days, @ $10 00 (one half)	45 00
Seven hundred and forty folios testimony, @ 20 cents (one half)	74 00
	$538 25
A. J. Morganstern, attorney	100 00
A. Ruef, attorney	100 00
Total	$738 25

Geo. A. Bates and Geo. A. Wentworth (attorneys for Lundquist, contestant):

Twelve witnesses, nine days each, @ $2 00	$216 00
Justices' fees, 740 folios, @ 12½ cents	91 25
Stenographer's fees, nine days, @ $10 00 (one half)	45 00
Seven hundred and forty folios testimony, @ 20 cents (one half)	74 00
Cost of filing contest and service	8 10
Mailing papers to Secretary of State	1 00
Serving twelve subpœnas, @ 25 cents	3 00
Attorney's fees	100 00
Total	$538 35

Frank E. Mahoney, contestee:

Fifteen witnesses, @ $2 00 per diem, and mileage	$70 00
Serving twenty-four subpœnas, @ 25 cents, and mileage	15 00
Justices' fees, 915 folios, @ 12½ cents	114 38
Reporter's fees, five days, @ $10 00 (one half)	25 00
Nine hundred and fifteen folios testimony, @ 20 cents	183 00
Attorneys' fees	200 00
Total	$607 38

John R. Aitken, attorney for P. D. Code, Jr., contestant:

Sheriff's, County Clerk's, and notary's fees	$8 60
Serving twenty-four subpœnas, and mileage	12 00
Twenty-four witnesses, per diem and mileage	148 80
Justices' fees, 915 folios, @ 12½ cents	114 37
Mailing papers to Secretary of State	1 15
Attorneys' fees	100 00
Total	$384 92

L. J. Dolan, contestee:

Stenographer's fees, five days, @ $10 00 (one half)	$25 00
Justices' fees, 642 folios, @ 12½ cents	70 25
Six hundred and forty-two folios testimony, @ 20 cents (one half)	64 20
Seventeen witnesses, five days each, @ $2 00	170 00
Subpœnaing seventeen witnesses, @ 25 cents	4 25
J. D. Sullivan and Herbert Choynski, attorneys	200 00
Total	$533 70

Respectfully submitted.

KENYON, Chairman.

Report adopted.

RESOLUTION.

By Mr. Melick:

Resolved, That the Judiciary Committee be instructed to return Senate Bill No. 293 forthwith, and the same be made a special order for March 13th.

Resolution adopted.

SPECIAL ORDERS.

Assembly Bill No. 936—An Act to provide for the levy and collection of an income tax.

Passed on file.

Assembly Bill No. 657—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 passed by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Cross, Cutter, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Keables, Keegan, Kelly, Kelsey, Kenyon, Lindenberger, Mead, Melick, McGrath, Power of Placer, Ryan, Sanford, Sims, Soward, Strain, Toland, Treacy, Waymire, and Mr Speaker—44.

NOES—Messrs. Arnerich, Houghton, Landsborough, McClellan, and Rubell—5.

Title read and approved.

Assembly Bill No. 862—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the powers of the Boards of Trustees of certain cities.

Mr. Waymire moved that he be allowed to substitute Senate Bill No. 696 for Assembly Bill No. 862 on the file, and withdraw Assembly Bill No. 862.

So ordered.

Senate Bill No. 696—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the powers of the Boards of Trustees of certain cities.

Read second time.

The following amendments were submitted:

Amend Section 1, line 17 of printed bill, by inserting after the word "water" the words "and electric or other lights"

Adopted.

Also: Amend Section 1, line 22 of printed bill, by inserting after the word "estimated" the word "total"

Adopted.

Senate Bill No. 696 ordered to printer, and to retain its place on file.

Senate Bill No. 463—An Act to amend Section 1114 of the Political Code of the State of California, relating to registration.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Anderson, Arnerich, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goodhue, Henry, Houghton, Jones, Keables, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mead, Melick, North of Alameda, North of Yolo, Power of Placer, Price, Rubell, Soward, Strain, Toland, Treacy, Vosburg, Waymire, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Assembly Bill No. 354—An Act entitled an Act to amend Section 1196 of the Political Code, relating to elections.

Passed on file.

Senate Bill No. 351—An Act entitled an Act to amend Section 1196 of the Political Code, relating to elections.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend printed Senate Bill No. 351 by striking out of title the words and figures "Section 1196," and inserting the following in place thereof: "Sections 1196 and 1197."

Adopted.

AMENDMENT No. 2.

Amend printed Senate Bill No. 351 by striking out of Section 1, line 1, the words "section eleven hundred and ninety six," and inserting the following in place thereof: "sections eleven hundred and ninety-six and eleven hundred and ninety-seven."

Adopted.

AMENDMENT No. 3.

Amend printed Senate Bill No. 351 by adding a new section, as follows:
SEC. 3. This Act shall take effect immediately.

Adopted.

AMENDMENT No. 4.

Amend printed Senate Bill No. 351 by striking out of Section 2 the words "This Act shall take effect immediately," and inserting the following: Section eleven hundred and ninety-seven of the Political Code is hereby amended so as to read as follows:

Section 1197. All ballots printed by County Clerks, other than the separate ballots containing the names of candidates for city and county offices, printed by the County Clerks of consolidated cities and counties, shall be headed "Municipal Ticket"; and all ballots printed by County Clerks of consolidated cities and counties containing the names of candidates for city and county offices, and also all tickets printed by the clerk or secretary of a legislative body of any incorporated city or town, shall be headed "Municipal Ticket." Under the heading of all general tickets the respective number of the congressional, senatorial, and assembly districts in which each ticket is to be voted shall be printed. The names of all the candidates of each political party shall be printed in a separate column or columns, at the head of which shall be printed the name of the party in large type, as "Republican Nominees," or like designation of other parties. In case two or more parties nominate the same candidate or candidates for any or all offices to be voted for, they shall each be equally entitled to have their nominations printed in full in a separate column or columns. The party which first files its nominations with the Secretary of State shall have the column or columns on the extreme left of the ballot, the party which files its nominations next in order of time shall be next, and so on until the political parties have all been placed, when a column or columns shall be assigned upon their right for the names of persons who have been nominated by petition. Upon the extreme right of the ballot, in a column or columns, shall be printed proposed constitutional amendments, or other questions to be voted upon. At the head of the columns in which the groups of candidates for Presidential Electors of the different parties are printed shall be printed the following direction to voters: "To vote for Electors, mark a cross in the square at the right of the party name." Immediately following this shall be printed the title of their office, and a direction to mark once, as "Electors of President and Vice-President—mark once." At the end of the group of Presidential Electors, and of the blank spaces following them, shall be printed the following direction to voters: "To vote for a person, stamp cross (X) in a square at right of name of political party or designation following his name." If the names of candidates of that party extend over to the next column, this direction shall be repeated at the head of such column. Each name or group of names of candidates of any party for any one office, except Presidential Electors, provision for which has hereinbefore been made, shall be immediately preceded by the title of the office at the extreme left of the column, followed on the extreme right of the column by a direction to the voter specifying the number of persons to be voted for for that office, thus: "Governor—vote for one."

Where proposed amendments to the Constitution or other questions are to be voted upon, the statement and description thereof shall be printed upon the ballot in manner and form as provided for in Section 1054 of this Code, opposite which shall be printed the words "Yes" and "No," on separate lines. Such proposed amendments or other question to be voted upon shall be placed in the column at the extreme right of the ticket, and at the head of this column shall be printed the following directions to voters: "To vote on the following questions stamp a cross (X) in the square at the right of 'Yes' or 'No' in each case." All municipal tickets containing the names of candidates for ward or district offices, in addition to such direction to voters, shall have the number of the ward or district in which said ticket is to be voted printed thereon. All municipal tickets shall be printed upon paper of a different tint from that of the general ticket. On each ballot a perforated line shall extend from top to bottom, one half inch from the right-hand side of such ballot, and upon the half-inch strip thus formed there shall be no printing, except the number of the ballot, which shall be upon the back of

such strip, in such position that it shall appear upon the outside when such ballot is folded. The number of each ballot shall be the same as that on the corresponding stub, and the ballots and stubs shall be numbered consecutively in each county. All ballots shall be eighteen inches in length, and each column shall be four and one half inches in width, and there shall be as many columns as are necessary under the provisions of this section. The columns shall be separated by heavy ruled lines, and on all ballots the names of candidates shall be separated by a rule extending to the extreme right of the column, and each group of names of candidates for any office shall be separated, by a heavy ruled line extending to the extreme right of the column, from the names of the candidates for the next and succeeding office printed upon the ticket.

All ballots shall be printed in plain roman type, and shall contain the name of every candidate whose nomination for any office specified in the ballot has been certified to and filed according to the provisions of this Code, and no other name; and there shall be added to all the names of candidates for each office, where such officer is to be elected from a section or district comprising more than one county, the name of the county from which he was nominated, followed by their party or political designation or designations, so far to the right of the column as possible, leaving room for the square or space hereinafter provided for, as

W. M. CUTTER, of Yuba.....Independent. Silver. Republican.	

The name or names of the candidates of any party shall be arranged under the designation of the office in the column of the party to which they belong. In the case of Electors of President and Vice-President they shall be arranged in a group as presented by the party or petition nominating them, and placed at the head of the column where they respectively belong; and there shall be printed at the head of each group of Electors so nominated, the names of the candidates of the party they represent for President and Vice-President, followed by the political principle or party represented by said Electors, after which, on the extreme right of the column, shall be a space or square, in one of which the voter must stamp a cross (X), signifying his intention to vote for the group of Electors immediately following, as

McKINLEY AND HOBART.....Republican.	

in great primer title type, or the like; *provided*, that if an elector desires to vote for a less number of persons for Electors of President and Vice-President than are named in each group, or for the full number of Electors in any other arrangement or order than they are printed upon the ticket, or should he desire to vote for Electors whose names are not upon the ballot, he may do so by writing their names in the blank spaces hereinafter provided for at the end of the list of candidates for Electors of President and Vice-President. Such Electors can be so voted for by writing their names in such spaces, without stamping or other evidence of assent. There shall be left at the end of the list of candidates for each office as many blank spaces as there are persons to be elected to each office, in which the person may insert the name of any person not printed upon the ballot for whom he desires to vote as candidate for such office; and the names and blank spaces on the whole ticket shall be consecutively numbered, the figures being placed on the left-hand side of such names and blank spaces. There shall be a margin on the right hand of the names of all candidates except Presidential Electors, provisions for which is hereinbefore made, at least one half inch wide, along the left-hand edge of which margin a line shall be drawn, forming square, so that the voter may clearly indicate, in the way to be hereinafter pointed out, the candidate or candidates for whom he wishes to cast his ballot.

Adopted.

By Mr. Bridgford:

Amend by adding in Section 1, line 6, after the word "officers," "irrigation district and swamp land district."

Adopted.

Senate Bill No. 351 ordered to printer and third reading, and to retain its place on file.

Assembly Bill No. 178—An Act to amend Sections 1204 and 1230 of the Political Code of the State of California, relating to precinct registration and challenging of voters.

Read second time.

The following amendment was submitted by Mr. Kenyon:

Amend by striking out of Section 1204, line 15, the word "where" and inserting the following: "when."

Adopted.

Assembly Bill No. 178 ordered to printer, engrossment, and third reading.

Assembly Bill No. 875—An Act to create a commission for the purpose of examining, testing, and investigating voting machines, and reporting to the Legislature at its thirty-third session the result of such investigation, and making an appropriation for the expenses of such commission.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Boone, Bridgford, Cross, Cutter, Damon, Dibble, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, McClellan, North of Alameda, North of Yolo, Power of Placer, Rubell, Sims, Soward, Strain, Toland, Treacy, Valentine, Waymire, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Assembly Bill No. 354—An Act entitled an Act to amend Section 1196 of the Political Code, relating to elections.

Read second time, and ordered engrossed and to third reading.

Senate Bill No. 484—An Act to amend Section 1239 of the Political Code, relating to rules for determining question of residence.

Read second time, and ordered to third reading.

Assembly Bill No. 973—An Act to amend Section 1094 of the Political Code.

Read second time.

The following amendment pending:

By Committee on Election Laws:

Amend Section 1, line 31, by adding after the word "registration" the following: "Such notice of change of residence must be filed not later than fifteen days prior to such election."

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 19

A resolution to propose to the people of the State of California an amendment to Section 12 of Article XIII of the Constitution of the State of California, by providing that persons voting at a general election shall be exempt from the payment of poll tax.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its thirty-second session, commencing January fourth, eighteen hundred and ninety-seven, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby propose that section twelve (12) of article thirteen (13) of the Constitution of the State of California be amended so as 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 twenty-one and under sixty years of age, except paupers, idiots, insane persons, and Indians not taxed; *provided*, that every person who votes at a general election at which state officers or presidential electors are voted for, shall be exempt from said poll tax for the next succeeding two years after said election. Said tax shall be paid into the state school fund.

The question being on the adoption of Assembly Constitutional Amendment No. 19.

The roll was called, and pending the announcement of the result, Mr. Mead moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Boone, Bridgford, Burnett, Burnham, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Harris, Hill, Houghton, Hudson, Jones, Keables, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Melick, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Rubell, Ryan, Shanahan, Sims, Soward, Strain, Toland, and Treacy.

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

So ordered.

The Speaker then announced the result of the roll call, and Assembly Constitutional Amendment No. 19 was adopted by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Belshaw, Boone, Bridgford, Burnett, Burnham, Clarke, Cross, Cutter, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Harris, Hill, Houghton, Jones, Keables, Kelly, Kelsey, Kenyon, Lacy, Landsborough, Mahoney, Malcolm, Mead, Melick, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Toland, Treacy, Valentine, Waymire, Wright, and Mr. Speaker—58.

NOES—Messrs. Austin, Henry, Hudson, Lindenberger, and Vosburg—5.

Assembly Bill No. 849—An Act to authorize the Superintendents of Streets of municipalities in this State to enter into contracts for work upon public streets in said municipalities, and to provide a lien for the expenses thereof, and for suits to foreclose said liens.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Boone, Breiling, Burnett, Caminetti, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Godfrey, Goff, Goodhue, Henry, Hill, Hudson, Jones, Keables, Kelly, Kelsey, Kenyon, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, McGrath, Pohlmann, Power of Placer, Power of San Francisco, Rubell, Sanford, Shanahan, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—50.

NOES—Messrs. Ennis, Guy, North of Alameda, North of Yolo, Sims, and Wright—6.

Title read and approved.

MOTIONS.

Mr. Price moved to reconsider the vote whereby Assembly Bill No. 410 was finally passed.

Mr. North moved to suspend the rules limiting the time of debate to five minutes on each side of a question while considering the motion of Mr. Price to reconsider the vote by which Assembly Bill No. 410 was finally passed.

Motion of Mr. North lost.

The question being on the motion of Mr. Price to reconsider the vote by which Assembly Bill No. 410 was passed.

The ayes and noes were demanded by Messrs. North of Alameda, Price, and Leavitt.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Messrs Aldridge, Clarke, Damon, Ennis, Foreman, Harris, Hill, Keables, Keegan, Kenyon, Leavitt, Malcolm, North of Alameda, North of Yolo, Power of Placer, Price, Sanford, Shanahan, Strain, Valentine, Vosburg, Wright, and Mr. Speaker—23.

NOES—Messrs. Allen, Arnerich, Austin, Belshaw, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Cross, Cutter, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Gately, Godfrey, Goff, Goodhue, Guy, Henry, Houghton, Hudson, Jones, Kelly, Kelsey, Lacy, Landsborough, Mahoney, Mead, McClellan, McGrath, Pohlmann, Power of San Francisco, Rubell, Ryan, Sims, Soward, Toland, and Waymire—43.

EXPLANATION OF VOTE.

By Mr. Melick:

I did not vote on this coyote claim bill, nor on the reconsideration, because I am personally interested, as I have coyote scalp claims pending before the Board of Examiners.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 285—An Act for the employment of the homeless and the unemployed, and for the punishment of vagrants.

Read third time.

Mr. Dibble moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by inserting after the word "State," in line 2 of amended bill, the following: "in which there are supervisoral districts, from which Supervisors are elected."

Lost.

Recess was extended until Assembly Bill No. 285, now under consideration, was disposed of.

MOTIONS.

Mr. Dibble moved to amend by striking out the enacting clause of Assembly Bill No. 285.

Mr. Bridgford moved that Assembly Bill No. 285 be referred to a select committee of three, appointed by the Speaker, for the purpose of proposing any amendments they may think necessary.

So ordered.

RECESS.

At twelve o'clock and forty-five minutes P. M., on motion of Mr. Dennery, the House took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock and thirty-five minutes P. M.

Speaker Coombs in the chair.

Quorum present.

SPECIAL ORDER—MOTION.

Mr. Leavitt moved that Senate Bill No. 136, which was made the special order for this hour, be made a special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No 631—An Act to repeal Section 3640 of the Political Code of California, relating to the duties of Assessors.

Assembly Bill No. 654—An Act to add a new title to Part IV of an Act entitled an Act to establish a Political Code, approved March 12, 1872, to be known as Title V, regulating publications by State officers and commissioners, Common Councils, Boards of Trustees, or Supervisors in counties, cities, cities and counties, or towns.

Assembly Bill No. 748—An Act to provide for the working, dressing, and carving of stone for public work.

Assembly Bill No. 959—An Act to amend Section 35 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to the duties of Superintendent of Streets in municipalities having a population of over fifty thousand inhabitants.

Assembly Bill No. 928—An Act appropriating money to pay the expenses of collecting, preparing, forwarding, installing and maintaining, taking down and returning an exhibit of the products of the State of California at the Hamburg Horticultural Exposition, to be held at Hamburg, Germany, in 1897, and to provide for a commission, secretary of commission, and the pay of the secretary thereof.

Assembly Bill No. 948—An Act for the relief of John Mullan, and to appropriate money therefor.

Assembly Bill No. 728—An Act to amend Section 4 of an Act entitled "An Act for the incorporation of societies for the prevention of cruelty to children," approved April 3, 1876.

Assembly Bill No. 981—An Act for the establishment of a uniform system of road government and administration in the counties of the State of California.

Assembly Bill No. 700—An Act to amend Section 53 of the Code of Civil Procedure of the State of California.

Assembly Bill No. 952—An Act to amend an Act entitled "An Act to create the County of Ventura, to establish the boundaries thereof, and to provide for its organization," approved March 22, 1872, by amending Section 2 thereof, so as to include the whole of the Rancho Conejo within the County of Ventura.

Assembly Bill No 521—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture as instructress and silk expert.

Assembly Bill No. 408—An Act to pay the claim of Paris Kilburn, J. B. Fuller, and H. W. Magee, Bank Commissioners of the State of California, and making an appropriation therefor.

Assembly Bill No. 502—An Act for the relief of W. C. Gurey.

Assembly Bill No. 912—An Act making an appropriation to pay the claim of the Southern Pacific Company.

Assembly Bill No. 241—An Act making an appropriation to pay the expenses incurred for the funeral of the late State Librarian, W. D. Perkins.

Assembly Bill No. 232—An Act making an appropriation to pay for advertising the constitutional amendments for 1894.

Assembly Bill No. 118—An Act making an appropriation to pay the claim of the Evening Express Company of Los Angeles, California

Assembly Bill No. 735—An Act making an appropriation to pay the claim of Charles Nelson, arising upon the judgment recovered by said Nelson against the State of California, in the Superior Court of the City and County of San Francisco, on May 27, 1896.

Assembly Bill No. 874—An Act to pay the claim of the County of Santa Clara, and making an appropriation therefor

Assembly Bill No. 914—An Act to pay the claim of the County of Napa, and making an appropriation therefor.

Assembly Bill No. 717—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

Assembly Bill No. 339—An Act to appropriate $4,750 as compensation to the California Demokrat Publishing Company, for having published the constitutional amendments during the year 1894.

Assembly Bill No. 901—An Act providing for the relief of John J. Conlin, authorizing and empowering the Board of Supervisors of the City and County of San Francisco to order paid to said Conlin, his assigns or legal representatives, the amount of money which they may find to be due the said Conlin for work performed and material furnished on the public street, sidewalk, and sewers of the City and County of San Francisco, as shown by the books kept by the Superintendent of Public Streets and Highways of said city and county, and directing the Auditor of said city and county to audit the demand of said Conlin for said amount as found by said Supervisors, and issue his warrant therefor, and the Treasurer of said city and county to pay said warrant.

Also: Assembly Bill No. 376 (reengrossed)—An Act to appropriate money for the erection of additional buildings at the Preston School of Industry, at Ione, and for furnishing and equipping the same.

AUSTIN, Chairman.

APPOINTMENT OF SELECT COMMITTEE.

In the matter of Assembly Bill No. 285, the Speaker appointed Messrs. Toland, Soward, and Bridgford as a select committee.

RESOLUTION.

By Mr. Landsborough:

Resolved, That the Senate be and it is hereby requested to return Assembly Bill No. 160, to correct an error in engrossment.

Adopted.

MOTIONS.

Mr. Sims moved to reconsider the vote by which the resolution offered by Mr. Melick this morning, in reference to requiring the Committee on Judiciary to report back Senate Bill No. 293, was adopted.

So ordered.

Mr. Sims moved to amend the resolution offered by Mr. Melick in reference to Senate Bill No. 293, making the time for the Judiciary Committee to report Monday.

So ordered.

Mr. Dibble moved that Assembly Bill No. 385 be substituted on file for Senate Bill No. 345.

Lost.

SENATE SPECIAL FILE.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Passed on file.

Senate Bill No. 113—An Act to amend Section 685 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.

Mr. Sanford moved that the Committee on Judiciary be instructed to report Senate Bill No. 113 back forthwith.

So ordered.

Senate Bill No. 77—An Act authorizing certain corporations to loan and invest money, and regulating the same.

Passed on file.

Senate Bill No. 443—An Act to amend Section 758 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1880. (Substitute for Assembly Bill No. 501.)

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. Allen, Canavan, Cross, Dibble, Dolan, Fontana, Goodhue, Harris, Houghton, Malcolm, Toland, and Valentine—12.

NOES—Messrs. Anderson, Arnerich, Breiling, Burnham, Cutter, Damon, Dryden, Elliott, Ennis, Foreman, Gately, Godfrey, Goff, Henry, Hill, Kelsey, Landsborough, Leavitt, Lindenberger, Mead, Melick, McGrath, North of Yolo, Power of Placer, Price, Rubell, Soward, Vosburg, Waymire, Wright, and Mr. Speaker—31.

NOTICE OF RECONSIDERATION.

Mr. Waymire gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 443 was refused final passage.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 137—An Act to amend the Political Code of California by adding a new section, to be known as Section 2644, relating to road 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. Arnerich, Boone, Breiling, Burnett, Burnham, Caminetti, Cartwright, Cross, Damon, Dibble, Dryden, Elliott, Fontana, Foreman, Godfrey, Goff, Goodhue, Houghton, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, Pohlmann, Power of Placer, Price, Rubell, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr Speaker—43.

NOES—Mr. Keegan—1.

Title read and approved.

Senate Bill No. 17—An Act to amend Section 1 of 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 the amendment thereto approved February 23, 1893, and fixing the term of office of the Judges thereof.

Mr. Dibble moved that Senate Bill No. 17 be referred to the San Francisco Delegation.

So ordered.

Senate Bill No. 370—An Act to amend Section 3495 of the Political Code, by adding a provision relative to adverse occupation.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Boone, Burnett, Burnham, Caminetti, Canavan, Cross, Cutter, Dibble, Dryden, Elliott, Ennis, Foreman, Goff, Goodhue, Henry, Hill, Houghton, Keables, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, Power of Placer, Price, Rubell, Ryan, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—44.

NOES—None.

Title read and approved.

Senate Bill No. 111—An Act to amend Section 1093 of the Penal Code, relating to order of trial.

Mr. Shanahan moved that Senate Bill No. 372 be substituted for Senate Bill No. 111 on the file.

So ordered.

Senate Bill No. 372—An Act to amend Sections 1254 and 1257 of the Code of Civil Procedure, relating to the right of eminent domain.

Read second time, and ordered on file for third reading.

Senate Bill No. 114—An Act to amend Section 1127 of the Penal Code, relating to charging the jury.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Boone, Breiling, Burnett, Burnham, Caminetti, Canavan, Cartwright, Cross, Cutter, Damon, Dolan, Dryden, Elliott, Ennis, Foreman, Godfrey, Goff, Henry, Hill, Jones, Keables, Keegan, Kelly, Kenyon, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, McGrath, Power of Placer, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Soward, Strain, Valentine, and Waymire—45.

NOES—Messrs. Dibble, North of Alameda, Wright, and Mr. Speaker—4.

Title read and approved.

Senate Bill No. 116—An Act to amend Section 398 of the Code of Civil Procedure, relating to a change of place of trial.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Breiling, Burnham, Caminetti, Canavan, Cross, Cutter, Damon, Dryden, Elliott, Foreman, Gately, Godfrey, Goff, Goodhue, Harris, Henry, Hill, Houghton, Jones, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, McGrath, North of Alameda, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—49.

NOES—Messrs. Dibble, Melick, and Power of Placer—3.

Title read and approved.

SPECIAL URGENCY FILE.

Assembly Bill No. 798—An Act to pay the claim of the County of Monterey, and making an appropriation therefor.

Mr. Hudson moved that Senate Bill No. 102 be substituted on the file for Assembly Bill No. 798, and that the last-named bill take the place on file of Senate Bill No. 102 (Substitute for Assembly Bill No. 895)—An Act to provide for the acquisition or condemnation of water by municipalities, and for the sale of an excess of water when owned by a municipality.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Boone, Breiling, Bridgford, Burnham, Canavan, Cartwright, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Foreman, Godfrey, Goff, Goodhue, Henry, Hill, Houghton, Hudson, Keables, Keegan, Kelly, Kenyon, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, McClellan, Power of Placer, Power of San Francisco, Price, Rubell, Sanford, Soward, Stansell, Toland, Valentine, Vosburg, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Assembly Bill No. 449—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of denistry in the State of California," approved March 12, 1885, and to add four new sections thereto, all relating to the State Board of Dental Examiners, and regulating the practice of dentistry in this State.

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. Boone, Breiling, Burnett, Burnham, Dennery, Dibble, Fontana, Gately, Goff, Harris, Houghton, Keables, Keegan, Kelly, Kenyon, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Mead, North of Yolo, Power of Placer, Power of San Francisco, Rubell, Ryan, Stansell, Strain, Valentine, Waymire, and Wright—31.

NOES—Messrs Aldridge, Allen, Anderson, Bridgford, Caminetti, Canavan, Cartwright, Cross, Cutter, Damon, Dolan, Dryden, Elliott, Ennis, Foreman, Godfrey, Goodhue, Henry, Hill, Hudson, Kelsey, Lindenberger, Melick, Mulcrevy, McClellan, McGrath, Pohlmann, Price, Sanford, Sims, Soward, Toland, Vosburg, and Mr. Speaker—34.

NOTICE OF RECONSIDERATION.

Mr. Sims gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 449 was refused final passage.

RESOLUTION—(OUT OF ORDER).

Resolved, That the Senate be requested to return to the Assembly, Senate Bill No. 100, for further consideration by the Assembly.

Adopted.

SPECIAL URGENCY FILE—(RESUMED).

Substitute for Senate Bill No. 321—An Act to establish the Polytechnic Institute of California in San Luis Obispo County, California, and making an appropriation therefor.

Read second time.

Mr. Landsborough moved that the House do now resolve itself into Committee of the Whole, with Speaker Coombs in the chair, for the purpose of considering Senate Bill No. 321.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 321 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 321—An Act to establish the Polytechnic Institute of California in San Luis Obispo County, California, and making an appropriation therefor—and now report the same back, and recommend that the same do pass.

COOMBS, Chairman.

Senate Bill No. 321 ordered on file for third reading.

Assembly Bill No. 582—An Act making an appropriation for the purpose of dredging Humboldt Bay, and naming the commissioners who shall have charge thereof.

Read second time.

Mr. Ennis 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. 582.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 582 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 582—An Act making an appropriation for the purpose of dredging Humboldt Bay, and naming the commissioners who shall have charge thereof—and now report the same back, and recommend that the same do pass.

COOMBS, Chairman.

Assembly Bill No. 582 ordered engrossed and to third reading.

Assembly Bill No. 362—An Act entitled an Act to amend the Political Code, by adding a new section prohibiting the imposing of a license upon

any person soliciting orders for the sale of any articles manufactured or produced in this State which, under the laws of the United States, cannot be legally imposed upon persons soliciting orders for the sale of like articles manufactured in any of the States of the United States.

Read third time.

Mr. Anderson moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by inserting in Section 1, line 8, after the words "United States," the clause "*provided*, that no order for any bill of goods of less value than fifty dollars shall be allowed to be filled under the provisions of this Act."

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. Allen, Anderson, Arnerich, Belshaw, Boone, Breiling, Bridgford, Burnett, Caminetti, Cartwright, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Emmons, Ennis, Godfrey, Henry, Hill, Jones, Keables, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, Pohlmann, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Valentine, and Waymire—47.

NOES—Messrs. Aldridge, Canavan, Clarke, Elliott, Fontana, Foreman, Goodhue, Houghton, Hudson, Keegan, Lindenberger, North of Yolo, Power of Placer, Stansell, Strain, Toland, and Vosburg—17.

Title read and approved.

Assembly Bill No. 242—An Act making an appropriation to pay the claim of R. L. Peeler, for expenses incurred in attending the funeral of the late General Dimond.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Anderson, Arnerich, Belshaw, Breiling, Bridgford, Burnham, Canavan, Cartwright, Clarke, Cross, Damon, Dennery, Elliott, Emmons, Ennis, Fontana, Godfrey, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Melick, Mulcrevy, Power of Placer, Ryan, Sanford, Sims, Soward, Strain, Valentine, and Waymire—43

NOES—Messrs. Caminetti, Houghton, McCandlish, North of Alameda, Price, Toland, and Mr. Speaker—7.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Anderson gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 362 was finally passed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 12, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 12th day of March adopted Senate Joint Resolution No. 16, relative to the citrus fruit industry.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Mr. Valentine moved that the Assembly now consider the Senate message relative to Senate Joint Resolution No. 16.

So ordered.

SENATE JOINT RESOLUTION No. 16.

Joint resolution relating to the citrus fruit industry.

Resolved by the Senate of the State of California, the Assembly concurring, That—

WHEREAS, On January 8, 1897, there was introduced in the Senate by Senator Langford a joint resolution (No. 2), relative to the fruit industry, which resolution duly

passed both the Senate and Assembly, and was transmitted to our Senators and Representatives in Congress; and

WHEREAS, Said joint resolution contained various proposed duties on fruits raised in this State which Congress was asked to impose as a protection from foreign competition, and

WHEREAS, The said proposed duties have been construed to be the maximum rates desired by the California fruit-producers, whereas in reality they are the minimum duties suggested, and are entirely inadequate to protect California producers from foreign competition in several of the kinds of fruit and fruit products named; therefore, be it

Resolved, That the proposed duty of one per cent per pound on Zante currants is inconsistent and unjust, and if adopted will be ruinous to raisin-growers in the State of California; that the foreign dried grapes, known to commerce as "Zante currants," come into direct competition with medium grades of California raisins of all descriptions, particularly with seedless varieties, and if admitted into this country on a duty of less than three cents per pound, will take the place of and supplant the domestic product; that the seedless descriptions of raisins comprise twenty per cent or more of all the raisins grown in this State, that the so-called Zante currant is a seedless grape, and should be so classified, and be made subject to the same duty as raisins and all dried grapes; and that under proper encouragement the raisin industry will largely and profitably increase, and that without such encouragement a very important industry will be destroyed. We therefore believe a duty of three cents per pound on raisins, Zante currants, Sultanas, and all other dried products of the grape should be adopted;

Resolved, That we believe a duty of not less than three and one half cents per pound should be fixed on prunes and dried plums, and that at a less rate this industry must languish, and the large sums of money invested in it become unprofitable, and thus lessen the opportunity for labor, when thousands of laborers are already without the opportunity of supporting themselves and their families;

Resolved, That our Senators be instructed and our Representatives in Congress be requested to urge that the fruit schedule in the new tariff law to be submitted to Congress, at its special session, shall contain a duty of not less than forty cents per cubic foot on oranges, lemons, and limes, laid at a uniform rate, regardless of the size of the package, and when in bulk should be not less than five dollars per thousand; and a duty of not less than fifty cents per cubic foot on shaddocks, grape-fruit, and pomelos, or twenty-five dollars per thousand when in bulk. On citric acid there should be a specific duty of fifteen cents per pound; seventy-five cents per pound on essential oils of oranges and lemons; five cents per pound on the finished product of candied oranges, and lemon peel and preserved citron; three cents per pound on citron of commerce, when in pickle or brine; and on concentrated lemon and lime juice, in proportion to the amount of citric acid it contains, at the rate of ten cents per pound;

Resolved, That these resolutions be printed and duly attested and a copy be forwarded to each member of the Ways and Means Committee of the House of Representatives, and to each Senator and Representative in Congress from the State of California, and that this resolution be forwarded by telegraph to Hon. George C. Perkins, United States Senator, at Washington, by the Secretary of the Senate.

Adopted.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 389—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Read second time.

Mr. Stansell 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. 389.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 389 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 389—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico—and now report the same back, and recommend that the same do pass. COOMBS, Chairman.

Senate Bill No. 389 ordered on file for third reading.

Senate Bill No. 604—An Act to repeal an Act entitled "An Act imposing a tax on the issue of certificates of stock corporations," approved April 1, 1878.

Read second time, and ordered on file for third reading.

Assembly Bill No. 890—An Act to amend an Act entitled "An Act relating to commitments to the State School at Whittier and to the Preston School of Industry, fixing the authority to examine and to 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 responsibilities of the parents to the counties from which their children are committed.

Read second time, and passed on file for purpose of amending.

Assembly Bill No. 942—An Act to provide for the auditing and examination of the claims against the State of soldiers who served in the Indian wars in California, during the years from 1847 to 1857, to authorize the Adjutant-General to appoint a clerk for that purpose, and making an appropriation for his 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 Aldridge, Allen, Americh, Austin, Bettman, Breiling, Bridgford, Burnett, Caminetti, Canavan, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Goff, Goodhue, Guy, Harris, Hudson, Jones, Keables, Kelsey, Kenyon, Landsborough, Leavitt, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, Pohlmann, Power of Placer, Rubell, Sanford, Shanahan, Soward, Stansell, and Strain—43.

NOES—Messrs. Belshaw and Price—2.

Title read and approved.

Assembly Bill No. 890—An Act to amend 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 Judges of the counties.

The following amendments were submitted by Mr. Malcolm:

Amend by striking out of Section 3, line 16, the word "school."

Adopted.

Also: Amend by striking out all of Section 4.

Adopted.

Also: Amend by striking out of Section 5, line 1, the figure "5," and inserting the following: "4."

Adopted.

Also: Amend by striking out of Section 5, lines 1 and 2, the words "section six of the above entitled Act is amended so as to read as follows," and by striking out of line 3 of said Section 5 the words "section six."

Adopted.

Also: Amend by inserting in the title, after the word "committed," in the last line of said title, the words: "approved March 26, 1895."

Adopted.

Also: Amend by striking out of Section 1 all the section, and inserting in lieu thereof the following:

SECTION 1. Section one of an Act entitled "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," approved March 26, 1895, is hereby amended so as to read as follows.

Adopted.

Also: Amend Section 2 by inserting before the word "of," in line 1, the following: "Section 2"

Adopted.

Assembly Bill No. 890 ordered engrossed, to printer, and third reading.

Senate Bill No. 647—An Act to authorize the Governor to employ agents to collect certain claims due the State of California by the United States, and to provide compensation for such services.

Read second time.

The following amendments were submitted by Mr. Cutter:

Amend by striking out of Section 1, lines 7 and 11, the word "twenty," and inserting the following: "twenty-five," in each instance.

Adopted.

Also: Amend by striking out of Section 2, line 4, the word "twenty," and inserting the following. "twenty-five."

Adopted.

Assembly Bill No. 647 ordered to printer and third reading.

At four o'clock and forty-five minutes P. M., the Speaker called Mr. North, of Yolo, to the chair.

Assembly Bill No. 926—An Act giving a lien to blacksmiths, woodworkers, and all other persons employed upon any vehicle or implement of husbandry, for labor performed or material furnished upon the same, and providing for liens upon horses and other animals for the cost of shoeing 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 Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Breiling, Bridgford, Burnett, Burnham, Canavan, Cross, Cutter, Damon, Dibble, Goff, Goodhue, Guy, Henry, Hill, Jones, Keables, Kelly, Kelsey, Kenyon, Landsborough, Lindenberger, Malcolm, Mead, Melick, McClellan, Pohlmann, Power of Placer, Power of San Francisco, Ryan, Shanahan, Sims, Stansell, Strain, Vosburg, and Mr. Speaker—41.

NOES—Messrs. Caminetti, Cartwright, Dryden, Elliott, Harris, McGrath, North of Alameda, Price, Sanford, and Soward—10.

Title read and approved.

Senate Bill No. 101—An Act to provide for the purchase of land, the purchase of machinery, the construction of a dam, and other improvements, by the Trustees of the Napa State Asylum for the Insane, 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. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Jones, Keables, Kelly, Kelsey, Kenyon, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, McGrath, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Price, Ryan, Sims, Soward, Strain, Toland, and Mr. Speaker—48.

NOES—Messrs. Clarke, Elliott, Melick, and McClellan—4.

Title read and approved.

Assembly Bill No. 743—An Act to amend Section 3342 of the Political Code of the State of California, and to add a new section thereto, to be known as Section 3346 thereof, all relating to volunteer fire departments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Breiling, Bridgford, Burnett, Burnham, Canavan, Cartwright, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hudson, Jones, Keables, Kenyon, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, Pohlmann, Power of Placer, Price, Rubell, Shanahan, Soward, Stansell, Strain, Toland, and Vosburg—49.

NOES—Mr. Camınetti—1.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Shanahan was granted leave of absence for the balance of the day.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 608—An Act appropriating money to pay the expenses of preparing, forwarding, installing, maintaining, taking down, and returning an exhibit of the products of the State of California at the Trans-Mississippi and International Exposition, to be held in Omaha in 1898, and to provide for a commission and its expenses, a secretary of such commission, and the compensation of the secretary thereof.

Read second time.

Mr. Mead moved that the House do now resolve itself into Committee of the Whole, with Mr. North, of Yolo, in the chair, for the purpose of considering Assembly Bill No. 608.

IN COMMITTEE OF THE WHOLE.

Mr. North, of Yolo, in the chair.

Assembly Bill No. 608 considered in Committee of the Whole.

IN ASSEMBLY.

Mr. North, of Yolo, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 608—An Act appropriating money to pay the expenses of preparing, forwarding, installing, maintaining, taking down, and returning an exhibit of the products of the State of California at the Trans-Mississippi and International Exposition, to be held in Omaha, in 1898, and to provide for a commission and its expenses, a secretary of such commission, and the compensation of the secretary thereof—and now report the same back, and recommend that the same do pass as amended.

A. W. NORTH, Chairman.

Adopted.

Assembly Bill No. 608—An Act appropriating money to pay the expenses of preparing, forwarding, installing, maintaining, taking down, and returning an exhibit of the products of the State of California at the Trans-Mississippi and International Exposition, to be held in Omaha, in 1898, and to provide for a commission and its expenses, a secretary of such commission, and the compensation of the secretary thereof.

The following amendments were submitted:

Amend by striking out of Section 1, lines 31, 32, and 33, the words "except in case of secretary, nor hold any other office under the commission other than that of secretary," and inserting the following: "nor hold any office under the commission."

Adopted.

Also: Amend by striking out of Section 1, line 1, the word "seventy," and inserting the following: "twenty-five."

Adopted.

Also: Amend line 1 of Section 1 of printed bill, by striking out the word "seventy," and inserting in lieu thereof the word "fifty."

Lost.

Assembly Bill No. 608 ordered to printer, engrossment, and third reading.

Substitute for Senate Bill No. 689—An Act to promote the horticultural interests of the State by providing County Boards of Horticulture, and repealing the Act entitled "An Act to protect and promote the horticultural interests of the State," approved March 14, 1881, and certain Acts amendatory thereof, approved March 19, 1889, and March 31, 1891.

Read second time.

The following amendments were submitted:

Amend by striking out of line 12, Section 1, all after the word "qualified," and inserting the following: "for the duties of Horticultural Commission. Upon the petition of twenty-five resident freeholders and possessors of an orchard, the Board of Supervisors may remove any of said commissioners for cause, after a hearing of the petition."

Adopted.

Also: Amend by striking out of lines 7 and 8, Section 3, after the word "thereof," the words "and they shall act subordinately to the same."

RECESS.

At five o'clock and thirty minutes P. M., on motion of Mr. North, of Alameda, the House took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and forty-five minutes P. M. Speaker Coombs in the chair.

Quorum present.

BILL RECALLED.

Mr. Price moved that Senate Bill No. 370 be and it is hereby recalled from the Senate, in order that certain amendments may be considered.

So ordered.

SPECIAL ORDERS.

Senate Bill No. 620—An Act making an appropriation to pay for the repairs and construction of buildings in Yosemite Valley, and for the improvement of the valley.

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. Caminetti moved a call of the House.

So ordered.

Mr. Caminetti moved that further proceedings under 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. Aldridge, Allen, Boone, Bridgford, Burnham, Caminetti, Canavan, Cartwright, Damon, Dennery, Dibble, Elliott, Emmons, Ennis, Fontana, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Keables, Kelly, Kelsey, Lindenberger, Malcolm, Melick, Mulcrevy, McClellan, McGrath, Power of Placer, Power of San Francisco, Price, Rubell, Sanford, Soward, Stansell, Toland, Valentine, Wright, and Mr. Speaker—42.

NOES—Messrs. Foreman, Hudson, Mead, Ryan, and Vosburg—5.

Title read and approved.

MOTION.

Mr. Kelly moved that he be allowed to substitute Assembly Bill No. 547 (No. 187 on second-reading file) for Assembly Bill No. 610 (No. 359 on unfinished-business file), and that he be permitted to withdraw the latter bill.

So ordered.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 521—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, as instructress and silk expert.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Allen, Arnerich, Caminetti, Canavan, Cartwright, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Keables, Kelly, Kelsey, Lindenberger, Malcolm, Melick, Mulcrevy, McGrath, Pohlmann, Power of San Francisco, Price, Rubell, Ryan, Sanford, Soward, Toland, Valentine, Vosburg, and Mr. Speaker—43.

NOES—Messrs. Belshaw, Boone, Bridgford, Burnham, Fontana, Keegan, McClellan, and Power of Placer—8.

Title read and approved.

MOTION.

Mr. Belshaw moved that the Assembly do now take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 12, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 12th day of March passed Assembly Concurrent Resolution No. 10—Relative to printing 30,000 copies of Assembly Concurrent Resolution No. 9, and the distribution thereof

Also: Senate Bill No. 563—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Preston School of Industry, at Ione, California, for the forty-eighth fiscal year.

Also: Senate Bill No. 157—An Act to appropriate the sum of $300, to pay the claim of A. L. Wood, for the capture of Francisco Torres.

Also: Senate Bill No. 493—An Act to pay the claim of E. N. Strout, for services rendered as Reclamation Fund Commissioner, from June 1, 1873, to April 1, 1874, amounting to $2,000, and appropriating money to pay the same.

Also: Senate Bill No. 686—An Act making an appropriation to pay the claim of Theodore A. Bell.

Also: Senate Bill No. 719—An Act appropriating $81 10 to pay the claim of J. S. Bransford, for services rendered the State of California as Sheriff of Plumas County.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Assembly Concurrent Resolution No. 10 ordered to enrollment.

Senate Bill No. 563—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Preston School of Industry, at Ione, California, for the forty-eighth fiscal year.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 157—An Act to appropriate the sum of $300 to pay the claim of A. L. Wood, for the capture of Francisco Torres.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 493—An Act to pay the claim of E. N. Strout for services rendered as Reclamation Fund Commissioner from June 1, 1873, to April 1, 1874, amounting to $2,000, and appropriating money to pay the same.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 686—An Act making an appropriation to pay the claim of Theodore A. Bell.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 719—An Act appropriating $81 10 to pay the claim of J. S. Bransford, for services rendered the State of California as Sheriff of Plumas County.

Read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 11th day of March passed Senate Bill No. 318—An Act to provide for the protection and preservation of public highways from damage by storm-waters and floods, and to authorize the expenditure of public moneys for the purposes thereof.

Also: Senate Bill No. 425—An Act to amend Section 671 of the Code of Civil Procedure of the State of California, relating to judgment liens.

F J BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 318—An Act to provide for the protection and preservation of public highways from damage by storm-waters and floods, and to authorize the expenditure of public moneys for the purposes thereof.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 425—An Act to amend Section 671 of the Code of Civil Procedure of the State of California, relating to judgment liens.

Read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 11th day of March amended, and passed as amended, Assembly Bill No. 727—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 all Acts and parts of Acts in conflict with this Act."

Also: Assembly Bill No. 224—An Act making an appropriation to pay the claim of Luke Kavanagh, for reporting and transcribing testimony for the Board of Health.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Assembly Bill No. 727—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 all Acts and parts of Acts in conflict with this Act."

The following Senate amendment was submitted:

Amend by striking out of Section 2, lines 13 and 14, all after the word "fair," in line 13.

The question being, "Shall the Assembly concur in the Senate amendment to Assembly Bill No. 727?"

The roll was called, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Boone, Burnham, Caminetti, Canavan, Cartwright, Cross, Damon, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lindenberger, Malcolm, Melick, Mulcrevy, McGrath, Pohlmann, Power of Placer, Sanford, Toland, and Valentine—42.
NOES—None.

Assembly Bill No. 727 ordered to enrollment.

Assembly Bill No. 224—An Act making an appropriation to pay the claim of Luke Kavanagh, for reporting and transcribing testimony for the Board of Health.

The following Senate amendment was submitted:

Amend by striking out of Section 1, lines 1 and 2 of printed bill, the words "one thousand and fifty-one dollars and thirty cents," and inserting the following: "eight hundred and seventy-seven dollars and sixty cents."

The question being, "Shall the Assembly concur in the Senate amendment to Assembly Bill No. 224?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Boone, Burnett, Burnham, Caminetti, Canavan, Cartwright, Cross, Damon, Dibble, Dolan, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Guy, Harris, Henry, Hill, Hudson, Keables, Kelly, Kelsey, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McClellan, Pohlmann, Soward, Toland, Valentine, Vosburg, and Mr. Speaker—43.
NOES—None.

Assembly Bill No. 224 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 11th day of March passed Assembly Bill No. 244—An Act making an appropriation to pay the claim of the Examiner, for advertising the constitutional amendments.

Also: Assembly Bill No. 523—An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally-enfeebled paralytics into said institution, to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act.

Also: Assembly Bill No. 233—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments.

Also: Assembly Bill No. 249—An Act making an appropriation to pay the claim of Dennis Jordan, for balance due for work done on the State Prison at Folsom.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Assembly Bills Nos. 244, 523, 233, and 249 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 11th day of March passed Senate Bill No. 294—An Act for the improvement of the harbor of San Diego, and to appropriate money therefor.

Also: Senate Bill No. 303—An Act making an appropriation to pay the sum fixed, awarded, and allowed by the State Board of Examiners, as fees for services to date, of the additional counsel employed to assist the Attorney-General in the defense of the suit brought in the United States Circuit Court for the Northern District of California by the Southern Pacific Company against the Board of Railroad Commissioners of the State of California.

Also: Amended, and passed as amended, Assembly Bill No. 382—An Act to repeal Sections 628*a*, 630, 632*b*, and 633, and to amend Sections 628, 635, and 636, of the Penal Code of the State of California, relating to fish.

Also: Passed Assembly Bill No. 554—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Also: Amended, and passed as amended, Assembly Bill No. 200—An Act to amend Sections 925, 928 of the Penal Code of the State of California, and add a new section to said Code, to be known as Section 929, relating to grand juries, their powers and duties.

Also: Withdrew Assembly Bill No. 432—An Act to add a new section to the Political Code, to be known as Section 3609 thereof, relating to the general revenue of this State, and to property liable to taxation for the purpose of revenue.

F. J BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Senate Bill No. 294—An Act for the improvement of the harbor of San Diego, and to appropriate the sum of $50,000 for the erection of a State wharf, purchasing a dredger, and paying the legal expenses incident to securing possession of the tide lands on the Bay of San Diego, and paying other indebtedness of the State Board of Harbor Commissioners for the Bay of San Diego.

Read first time.

Senate Bill No. 303—An Act making an appropriation to pay the sum fixed, awarded, and allowed by the State Board of Examiners as fees for services to date of the additional counsel employed to assist the Attorney-General in the defense of the suit brought in the United States Circuit Court for the Northern District of California by the Southern Pacific Company against the Board of Railroad Commissioners of the State of California.

Read first time.

Assembly Bill No. 554—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Assembly Bill No. 554 ordered to enrollment.

Assembly Bill No. 382—An Act to repeal Sections 628*a*, 630, 632*b*, and 633, and to amend Sections 628, 635, and 636, of the Penal Code of the State of California, relating to fish.

The following Senate amendments were submitted:

Amend by striking out of Section 1, line 1, the figures "628," and inserting the following figure: "1."

Also: Amend by inserting in Section 1, line 1, the words "of the Penal Code."

Also: Amend by inserting in Section 2, line 2, the words "of the Penal Code," after "twenty-eight *a*," and in Sections 3, 4, 5, 6, 7, and 8, after the descriptive written number, insert "of the said Code."

Also: Amend by striking out of Section 8, line 19, the word "float," and inserting the following: "drift."

Also: Amend by striking out of enacting clause the word "the" between "represented" and "Senate."

The question being, "Shall the Assembly concur in the Senate amendments to Assembly Bill No. 382?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs Aldridge, Allen, Austin, Belshaw, Boone, Bridgford, Burnett, Caminetti, Canavan, Cartwright, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Fontana, Gately, Godfrey, Goff, Guy, Harris, Henry, Hill, Keables, Keegan, Lindenberger, Mahoney, Malcolm, Melick, McClellan, McGrath, Pohlmann, Power of Placer, Power of San Francisco, Rubell, Ryan, Sanford, Soward, Valentine, Vosburg, and Mr. Speaker—42.

NOES—None.

Assembly Bill No. 382 ordered to enrollment.

Assembly Bill No. 200—An Act to amend Sections 925, 928 of the Penal Code of the State of California, and add a new section to said Code, to be known as Section 929, relating to grand juries, their powers and duties.

The following Senate amendments were submitted:

Amend by striking out of lines 10 and 11, Section 2, page 2 of the printed bill, the words "and any," and inserting in lieu thereof the words "at an"

Also: Amend by striking out of line 13, Section 2, page 2 of the printed bill, the word "especially," and inserting in lieu thereof the word "specially."

Also: Amend by striking out of line 16, Section 2, page 2 of the printed bill, the word "that," and inserting in lieu thereof the word "who."

Also: Amend by inserting before the word "this," in the last line, on page 3 of the printed bill, the word and figure "Sec. 4."

The question being, "Shall the Assembly concur in the Senate amendments to Assembly Bill No. 200?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Aldridge, Allen, Austin, Belshaw, Boone, Bridgford, Burnham, Caminetti, Canavan, Cartwright, Cross, Damon, Dibble, Dolan, Elliott, Fontana, Foreman, Gately, Goff, Goodhue, Guy, Henry, Hill, Keables, Kelly, Kelsey, Lindenberger, Mahoney, Malcolm, Mead, Melick, McGrath, Pohlmann, Power of Placer, Rubell, Ryan, Sanford, Soward, Toland, Valentine, Vosburg, and Mr. Speaker—42.

NOES—None.

Assembly Bill No. 200 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 11th day of March passed Assembly Bill No. 234—An Act making an appropriation to pay the claim of the Tribune Publishing Company, for advertising the constitutional amendments.

Also: Refused passage to Assembly Bill No. 374—An Act to authorize Boards of Health of municipalities and counties of this State to issue subpœnas for witnesses, and to compel attendance of witnesses before such boards.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Assembly Bill No. 234 ordered to enrollment.

SUBSTITUTION OF BILLS.

Mr. Guy moved that Senate Bill No. 303 be substituted on file for Assembly Bill No. 319.

So ordered.

Mr. Lindenberger moved that Senate Bill No. 318 be substituted for Assembly Bill No. 343 on the urgency file.

So ordered.

MOTION.

Mr. Price moved that the Assembly do now take up Assembly Bill No. 984.

So ordered.

Assembly Bill No. 984—An Act making an appropriation to pay for the expenses incurred by Assembly Concurrent Resolution No. 6, appointing a joint committee of the Senate and Assembly to investigate the affairs of the State Printing Office.

Read second time.

Mr. Price moved that the Assembly now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 984.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 984 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 984—An Act making an appropriation to pay for the expenses incurred by Assembly Concurrent Resolution No. 6, appointing a joint committee of the Senate and Assembly to investigate the affairs of the State Printing Office—and now report the same back, with amendments, and recommend that the same do pass as amended.

COOMBS, Chairman

Adopted.

Assembly Bill No. 984—An Act making an appropriation to pay for the expenses incurred by Assembly Concurrent Resolution No. 6, appointing a joint committee of the Senate and Assembly to investigate the affairs of the State Printing Office.

The following amendments were submitted:

Amend by striking out of Section 1, line 7, the words "and the."

Also: Strike out all of line 8, same section, and insert the following: "in favor of J. H. Dickinson, chairman of said joint committee, who shall defray said expenses, are first approved by a majority of said committee, and the Treasurer is hereby directed to pay the same."

Adopted.

Assembly Bill No. 984 ordered to printer and third reading.

MOTIONS.

Mr. Price moved that Assembly Bill No. 984 be made a special order for Monday, immediately after reading of the Journal.

So ordered.

Mr. Dibble moved that the Assembly now proceed to take up the Senate special file, and read bills on the second-reading file.

So ordered.

At eight o'clock and forty minutes P. M., the Speaker called Mr. Valentine to the chair.

SENATE SPECIAL FILE.

Senate Bill No. 273 (Substitute for Assembly Bill No. 307)—An Act to amend Section 1313 of the Civil Code, relating to restriction on the power of devise to charitable uses.

Read second time, and placed on file for third reading.

Senate Bill No. 65—An Act to regulate the erection of buildings and structures by the authorities of cities, counties, or cities and counties, and to regulate contracts relating thereto.

Read second time, and placed on file for third reading.

Senate Bill No. 133—An Act to amend Section 2 of an Act entitled "An Act to protect and promote the horticultural interests of the State," approved March 14, 1881.

Read second time, and placed on file for third reading.

Senate Bill No. 489—An Act to amend Section 3051 of the Civil Code, relative to sale of stock left in pasture or stables.

Read second time.

The following amendment was submitted:

Amend by striking out of Section 3051, lines 14 and 15, the words "that such horses or stock, if not redeemed within thirty days," and inserting the following: "such horses or stock in boarding, livery, or feed stables, if not redeemed within thirty days, and horses and stock kept in pasture, if not redeemed in ninety days."

Adopted.

Senate Bill No. 489 ordered to printer and on file for third reading.

Senate Bill No. 534—An Act to add a new section to the Penal Code, to be designated as Section 354½, making it a misdemeanor to fill, sell, buy, or otherwise dispose of, or traffic in, any cask, keg, bottle, vessel, siphon, can, case, or other package bearing the duly filed trademark or name of another, printed, branded, stamped, engrossed, etched, blown, or otherwise attached or produced thereon.

Read second time, and placed on file for third reading.

Senate Bill No. 516—An Act to amend Section 1885 of the Political Code of the State of California, relating to form of bonds, when payable.

Read second time, and placed on file for third reading.

Senate Bill No. 503—An Act to amend 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 second time, and ordered on file for third reading.

Committee Substitute for Senate Bill No. 362—An Act authorizing the Secretary of State to appoint a clerk, and making an appropriation for the payment of his salary for the remainder of the forty-eighth fiscal year.

Read second time.

Senate Bill No. 11—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.

The following amendment was submitted by Mr. Mead:

Amend Senate Bill No. 11 by adding after the words "United States," in line 7, Section 1, printed bill: "*provided*, that the deposit herein required need not exceed fifty thousand dollars for any corporation, association, partnership, or individual of any government foreign to the United States that transacts in this State no insurance business other than marine."

Passed on file.

Substitute 1 for Senate Bill No. 182—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition, and as to the health of dairy animals, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to dairy stock, and to appropriate money therefor.

Read second time.

Senate Bill No. 15—An Act to amend Section 690 of an Act entitled "An Act to establish a Code of Civil Procedure," by adding a new subdivision, exempting seamen's and fishermen's wages, one piano, one shotgun, and one rifle, also typewriters and bicycles, from execution.

Read second time.

The following amendments were submitted:

AMENDMENT No 1.

Amend by striking out the word "family," in line 18 of the printed bill, and inserting in lieu thereof the word "farming."

Adopted.

AMENDMENT No. 2.

Amend by inserting after the word "debtor," in line 19 of the printed bill, the words "not exceeding in value the sum of one thousand dollars."

Adopted.

AMENDMENT No. 3.

Amend by inserting after the words "necessaries of life," in line 78 of the printed bill, the words "or have been incurred at a time when the debtor had no family residing in this State, supported in whole or in part by his labor."

Adopted.

AMENDMENT No. 4.

Amend by inserting the word "any" before the word "fire," in line 109 of the printed bill.

Adopted.

AMENDMENT No. 5.

Amend by inserting after the words "this State," in line 110 of the printed bill, the following:

16. All material purchased in good faith for use in the construction, alteration, or repair of any building, mining claim, or other improvement, as long as in good faith the same is about to be applied to the construction, alteration, or repair of such building, mining claim, or other improvement.

Adopted.

AMENDMENT No. 6.

Amend by inserting the word "the" after the word "to," on line 9 of the printed bill.

Adopted.

AMENDMENT No. 7.

Amend the title of the Act by striking out the following words: "by adding a new subdivision, exempting seamen's and fishermen's wages, one piano, one shotgun, and one rifle, also typewriters and bicycles, from execution."

Adopted.

Senate Bill No. 15 ordered to printer and third reading.

Senate Bill No. 265—An Act entitled an Act to amend Section 3009 of the Political Code, relating to the appointment of officers and employés by the San Francisco Board of Health.

Read second time.

The following amendments were submitted:

AMENDMENT No. 1.

In line 4, after the words "must appoint," insert the words "a quarantine officer, who shall be a physician in good standing."

Adopted.

AMENDMENT No. 2.

In line 8, after the word "physician," insert "who shall have had at least ten years' practice."

Adopted.

Senate Bill No. 265 ordered to printer and third reading.

Senate Bill No. 467—An Act to amend Section 1882 of the Political Code of the State of California, relating to the time bonds may be issued for.

Read second time, and ordered to third reading.

Senate Bill No. 535 (Substitute for Assembly Bill No. 569)—An Act to add a new section to the Penal Code, to be designated as Section 354¾, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of

another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

Read second time, and ordered to third reading.

Senate Bill No. 196—An Act to amend Section 340 of the Penal Code of California, relating to pawnbrokers.

Read second time, and ordered to third reading.

Senate Bill No. 550—An Act to amend Section 171 of the Penal Code, relating to unauthorized communication with convicts in the State prison.

Read second time, and ordered to third reading.

Senate Bill No. 541 (Substitute for Assembly Bill No. 665)—An Act to amend an Act entitled "An Act concerning the waterfront of the City and County of San Francisco," approved March 15, 1878.

Read second time, and ordered to third reading.

Senate Bill No. 692—An Act making an appropriation for furnishing a ward building for the Southern California State Asylum for the Insane and Inebriates.

Read second time.

Senate Bill No. 524—An Act to provide for the marking by monuments of a portion of the eastern boundary line of the State of California, and to appropriate money therefor.

Read second time.

Senate Bill No. 483—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883.

Read second time, and ordered to third reading.

Senate Bill No. 533—An Act authorizing municipal authorities to designate and set apart streets and portions of streets as boulevards, and restricting the power to grant franchises upon streets so designated and set apart.

Read second time, and ordered to third reading.

Senate Bill No. 150—An Act to amend Section 1323 of the Code of Civil Procedure of the State of California, relating to the probate of foreign wills.

Read second time, and ordered to third reading.

Senate Bill No. 246—An Act to amend Section 200 of the Code of Civil Procedure by adding a new subdivision thereto, known as subdivision No. 11, relating to exempting exempt firemen from jury duty.

Read second time, and ordered to third reading.

Senate Bill No. 523—An Act to appropriate money for the support of orphans, half orphans, abandoned children, foundlings, and other abandoned infants.

Read second time, and ordered to third reading.

Senate Bill No. 537—An Act to amend Section 1536 of the Penal Code, relating to the disposition of property taken on a search warrant.

Read second time, and ordered to third reading.

Senate Bill No. 285—An Act to add a new section to the Civil Code of the State of California, to be known and numbered as Section 79½, relating to the procuring of licenses for marriages, the solemnization of marriages, and the recording of the declaration of marriage.

Read second time.

The following amendment was submitted:

Amend by inserting after the word "particular," in Section 1, line 6, of printed bill, the word "religions."

Adopted.

Senate Bill No. 285 ordered to printer and third reading.

Substitute for Senate Bills Nos. 341, 342, 343, and 564—An Act to provide for certain improvements at the Preston School of Industry, at Ione, and to make an appropriation therefor.

Read second time.

Senate Bill No. 89—An Act making an appropriation for the erection of a dairy barn and appurtenances for the Southern California State Asylum for the Insane and Inebriates.

Read second time.

Senate Bill No. 87—An Act making an appropriation for enlarging the laundry of the Southern California State Asylum for the Insane and Inebriates to double its present capacity.

Read second time.

Senate Bill No. 700—An Act providing an appropriation for the improvement of and repairs to Sutter's Fort and grounds.

Read second time.

Senate Bill No. 348—An Act prohibiting the establishing, locating, placing, or maintaining of any hospital, sanitarium, building, or other structure used or intended to be used for the reception, care, or treatment of any person or persons afflicted with any contagious or infectious disease, within three thousand feet of any lake, pond, river, creek, ditch, or reservoir, the water of which is or may be used for domestic purposes other than in said institution; and forbidding any person or corporation from receiving, accepting, caring for, or treating any person or persons afflicted with any contagious or infectious disease in any such hospital, sanitarium, building, or other structure within three thousand feet of any lake, pond, river, creek, ditch, or reservoir, the water of which is or may be used for domestic purposes other than in said institution.

Read second time, and ordered to third reading.

Senate Bill No. 292—An Act to provide for the deficiency in the appropriation for support and maintenance of the widows and orphans of Union soldiers, sailors, and marines, and for ex-Union army nurses residing at Evergreen, in the County of Santa Clara, at the Home in said county, and under the auspices of the Woman's Relief Corps Home Association, for the forty-eighth fiscal year.

Read second time.

Senate Bill No. 73—An Act to provide for a bond for the protection of laborers upon public work.

Read second time, and ordered to third reading.

Senate Bill No. 119—An Act to appropriate $110,000 for the erection of an administration building for the use and occupancy of the officers, employés, and patients of the Mendocino Asylum; to purchase furniture and furnish same.

Read second time.

Senate Bill No. 521—An Act to provide for additional improvements at the State Insane Asylum located at Agnews, in the County of Santa Clara, State of California, and to made an appropriation therefor.

Read second time.

Senate Bill No. 398—An Act making an appropriation for supplying water, light, and fuel for the State Insane Asylum at Stockton.

Read second time.

Senate Bill No. 640—An Act authorizing the State Treasurer to furnish his office and the vault therein, and making an appropriation therefor.

Read second time.

Senate Bill No. 729—An Act to amend Section 2294 of Chapter III, Title V, of the Political Code, relating to the State Library.

Read second time, and ordered to third reading.

Senate Bill No. 134—An Act to repeal Section 13 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. 536—An Act to amend Section 1524 of the Penal Code, relating to the issuing of search warrants.

Read second time, and ordered to third reading.

Committee Substitute for Senate Bill No. 64—An Act to establish a State hospital for special diseases, to provide for the management and maintenance of the same, and to make an appropriation therefor.

Read second time.

Senate Bill No. 549—An Act to provide for certain improvements and repairs at the San Quentin State Prison, and making an appropriation therefor.

Read second time.

Senate Bill No. 437—An Act to amend Section 752 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. 442—An Act to add a new section to the Code of Civil Procedure, to be known as Section 1792½ thereof, relating to the sale of the interest of a ward in homestead property.

Read second time.

The following amendment was submitted:

Strike out in line 6 of printed bill the word "minor" and insert in lieu thereof the word "ward."

Adopted.

Senate Bill No. 442 ordered to printer and third reading.

WITHDRAWAL OF BILL.

Mr. Mulcrevy was granted unanimous consent to withdraw Assembly Bill No. 386.

MOTION.

Mr. Dibble moved that the Assembly resolve itself into Committee of the Whole, with Mr. Valentine in the chair, for the purpose of considering Senate Bills Nos. 362, 692, and 524; Substitute for Senate Bills Nos. 341, 342, 343, and 564; Senate Bills Nos. 89, 87, 700, 292, 521, 398, and 640; Committee Substitute for Senate Bill No. 64; and Senate Bills Nos. 182, 119, and 549.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Valentine in the chair.

Senate Bills Nos. 362, 692, and 524; Substitute for Senate Bills Nos. 341, 342, 343, and 564; Senate Bills Nos. 89, 87, 700, 292, 521, 398, and 640; Committee Substitute for Senate Bill No. 64; and Senate Bills Nos. 182, 119, and 549, were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Valentine in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 362—An Act authorizing the Secretary of State to appoint a clerk, and making an appropriation for the payment of his salary for the remainder of the forty-eighth fiscal year.

Also: Senate Bill No. 692—An Act making an appropriation for furnishing a ward building for the Southern California State Asylum for the Insane and Inebriates.

Also: Senate Bill No. 524—An Act to provide for the marking by monuments of a portion of the eastern boundary line of the State of California, and to appropriate money therefor.

Also: Substitute for Senate Bills Nos. 341, 342, 343, 564—An Act to provide for certain improvements at the Preston School of Industry, Ione, and to make an appropriation therefor.

Also: Senate Bill No. 89—An Act making an appropriation for the erection of a dairy barn and appurtenances for the Southern California State Asylum for the Insane and Inebriates.

Also: Senate Bill No. 87—An Act making an appropriation for enlarging the laundry of the Southern California State Asylum for the Insane and Inebriates to double its present capacity.

Also: Senate Bill No. 700—An Act providing an appropriation for the improvement of and repairs to Sutter's Fort and grounds.

Also: Senate Bill No. 292—An Act to provide for the deficiency in the appropriation for support and maintenance of the widows and orphans of Union soldiers, sailors, and marines, and for ex-Union army nurses residing at Evergreen, in the county of Santa Clara, at the Home in said county, and under the auspices of the Woman's Relief Corps Home Association, for the forty-eighth fiscal year.

Also: Senate Bill No. 521—An Act to provide for additional improvements at the State Insane Asylum located at Agnews, in the County of Santa Clara, State of California, and to make an appropriation therefor.

Also: Senate Bill No. 398—An Act making an appropriation for supplying water, light, and fuel for the State Insane Asylum at Stockton.

Also: Senate Bill No. 640—An Act authorizing the State Treasurer to furnish his office and the vault therein, and making an appropriation therefor.

Also: Committee Substitute for Senate Bill No. 64—An Act to establish a State hospital for special diseases, to provide for the management and maintenance of the same, and to make an appropriation therefor.

And now report the same back to the House, and recommend that the same do pass.

VALENTINE, Chairman.

Senate Bills Nos. 362, 692, 524, 89, 87, 700, 292, 521, 398, and 640; Substitute for Senate Bills Nos. 341, 342, 343, and 564; and Committee Substitute for Senate Bill No. 64, ordered to third reading.

Also:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 182—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition, and as to the health of dairy animals, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to dairy stock, and to appropriate money therefor.

Also: Senate Bill No. 119—An Act to appropriate $110,000 for the erection of an administration building for the use and occupancy of the officers, employés, and patients of the Mendocino Asylum; to purchase furniture and furnish same.

Also: Senate Bill No. 549—An Act to provide for certain improvements and repairs at the San Quentin State Prison, and making an appropriation therefor.

And now report the same back to the House, and recommend that the same do pass as amended.

VALENTINE, Chairman.

Senate Bill No. 182—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products, as to their sanitary condition, and as to the health of dairy animals, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to dairy stock, and to appropriate money therefor.

The following amendments were submitted:

Amend by striking out of Section 2, line 14, the words "hereinafter provided," and inserting the following: "who shall fix his compensation, not to exceed five dollars per diem, exclusive of actual necessary expenses when so employed."

Adopted.

By Mr. Goodhue:

Amend by striking out of Section 5, line 9, the word "buried," and inserting the following: "destroyed."

Adopted.

By Mr. Belshaw:

Amend by striking out of Section 12, line 11, after the word "same," and inserting the following: "*provided*, that the State Board of Examiners are hereby especially prohibited from granting or allowing any deficiency to the State Dairy Bureau for the purposes of this Act."

Adopted.

Senate Bill No. 182 ordered to printer and third reading.

Senate Bill No. 119—An Act to appropriate $110,000 for the erection of an administration building for the use and occupancy of the officers, employés, and patients of the Mendocino Asylum; to purchase furniture and furnish same.

The following amendments were submitted by Mr. Sanford:

Amend by striking out of title "$110,000," and inserting in lieu thereof "$60,000."

Adopted.

Also: Amend by striking out of Section 1, lines 2 and 3, the words "one hundred and ten," and inserting in lieu thereof the word "sixty."

Adopted.

Also: Amend by striking out of Section 1 all of line 8 after "ing," and all of lines 9, 10, and 11.

Adopted.

Senate Bill No. 119 ordered to printer and third reading.

Senate Bill No. 549—An Act to provide for certain improvements and repairs at the San Quentin State Prison, and making an appropriation therefor.

The following amendment was submitted:

Amend Section 1, line 1, by striking out after the word "of" the following words: "seven thousand five hundred," and inserting in lieu thereof the words "ten thousand."

Adopted.

Senate Bill No. 549 ordered to printer and third reading.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 354—An Act to amend Section 1196 of the Political Code, relating to elections.

Also: Assembly Bill No. 582—An Act making an appropriation for the purpose of dredging Humboldt Bay, and naming the commissioners who shall have charge thereof.

Also: Assembly Bill No. 885—An Act to authorize the Board of Education of the City and County of San Francisco to lease school lots in said city and county.

AUSTIN, Chairman.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 626—An Act legally defining what a miner's inch of water shall consist of.

Read second time.

The following amendment was submitted by Mr. Soward:

Amend by striking out of Section 1, line 7, the words "equal to twelve gallons."

Adopted.

Assembly Bill No. 626 ordered to printer, reengrossment, and third reading.

Assembly Bill No. 296—An Act to appropriate the sum of $295 85 to pay the claim of the Tribune Printing Company against the State.

Read second time.

Assembly Bill No. 729—An Act to amend Section 3571 of the Political Code, relating to the repayment of purchase price of land sold which is not the property of the State, and providing for a certificate of restitution to issue when the certificate of purchase to such land has been annulled for non-payment of interest.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 638—An Act relating to the liens of miners and others upon mining claims.

Read second time.

The following committee amendments were submitted:

Amend by striking out all of Section 6.

Lost.

Also: Amend by striking out all of Section 7.

Lost.

Also: Amend by striking out all of Section 8.

Lost.

Assembly Bill No. 638 ordered engrossed and to third reading.

Assembly Bill No. 781—An Act to add a new section to the Political Code, to be known as Section 2681½, relating to roads and highways.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 61—An Act amending Section 3245 of the Political Code.

Mr. Mahoney moved to substitute Assembly Bill No. 771 for Assembly Bill No. 61 on file.

So ordered.

Assembly Bill No. 771—An Act to authorize municipalities to accept donations of and to set apart donations of public streets or parks for statues, monuments, and fountains.

Read second time.

The following amendment was submitted by Mr. Mahoney:

Amend by striking out of Section 1, line 7, the words "or park," and inserting the following after the word "street": "park or lot."

Adopted.

Assembly Bill No. 771 ordered to engrossment, printer, and third reading.

Assembly Bill No. 913—An Act to pay the claim of the County of Tehama, and making an appropriation therefor.

Read second time.

Assembly Bill No. 960—An Act to amend an Act to establish a Civil Code, approved March 21, 1872, by adding a new section thereto, to be numbered Section 364, relating to corporations.

Mr. Sims moved to substitute Assembly Bill No. 490 for Assembly Bill No. 960 on file.

So ordered.

Assembly Bill No. 490—An Act to amend Sections 3629, 3633, 3651, 3653, 3658, 3678, 3681, 3738, 3746, 3795, 3820, 3821, 3825, 3826, and 3881 of the Political Code, relating to the general revenue of the State, and to property liable to assessment and taxation for the purposes of revenue, and the duties of taxpayers for the purpose of assessment of property and in the collection of taxes; and to add to the Political Code a new section, to be known as Section 3683, relating to the making of abstracts by the Register of Land Offices; and also a new section, to be known as Section 3831, relating to taxes on mortgage interest on personal property, and providing the time of the payment of the same, and the means of forced collection of the same.

Read second time, and ordered engrossed and to third reading.

Mr. Dibble moved that the Assembly do now go into Committee of the Whole, with Mr. Valentine in the chair, for the purpose of considering Assembly Bill No. 296 and Assembly Bill No. 913.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Valentine in the chair.

Assembly Bills Nos. 296 and 913 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Valentine in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 296—An Act to appropriate the sum of $295 85 to pay the claim of the Tribune Printing Company against the State.

Also: Assembly Bill No. 913—An Act to pay the claim of the County of Tehama, and making an appropriation therefor.

And now report the same back to the House, and recommend that the same do pass.

VALENTINE, Chairman.

Adopted.

Assembly Bills Nos. 296 and 913 ordered to engrossment and third reading.

Assembly Bill No. 857—An Act to amend Sections 2528 and 2552 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the San Francisco and State Harbor Commissioners, approved March 19, 1889.

Read second time, and ordered engrossed and to third reading.

Senate Bill No. 612—An Act to amend Section 7 of "An Act authorizing corporations to act as executor and in other capacities, and to

provide for and regulate the administration of trusts by such corporations," approved April 6, 1891.

Read second time, and ordered on file for third reading.

Assembly Bill No. 877—An Act to prevent the perpetuation of disease, to prevent crime, and to provide for a surgical operation in certain cases.

Read second time, and ordered engrossed and to third reading.

Senate Bill No. 451—An Act to require ordinances and resolutions passed by the City Council or other legislative body of any municipality to be presented to the Mayor or other chief executive officer of such municipality for his approval.

Read second time.

The following amendment was submitted:

Amend by adding to the end of Section 1 of printed bill, after the word "journal," the following: "*provided*, that the provisions of this section shall not apply to cities in which the Mayor is a member of the City Council, or other governing body."

Adopted.

Senate Bill No. 451 ordered to printer and third reading.

Assembly Bill No. 927—An Act to repeal an Act entitled "An Act to declare Lake Earl, in Del Norte County, navigable."

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 775—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 disorganization of irrigation districts, the discharge of their indebtedness, and the distribution of their property in accordance with agreements between the creditors of the districts and property owners therein.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

In lines 11, 12, and 13, Section 1, of printed bill, strike out the words "as many as three fourths of the landowners within said district owning three fourths of the lands," and insert in lieu thereof the words "all the landowners of all the lands held in private ownership."

Adopted.

AMENDMENT No. 2.

In lines 44 and 45 of Section 1 of the printed bill strike out the words "three fourths of the landowners within said district owning three fourths of the lands," and insert in lieu thereof the words "all the owners of all the lands held in private ownership."

Adopted.

AMENDMENT No. 3.

In lines 6 and 7, Section 4, of the printed bill, strike out the words "three fourths of the landowners who own three fourths of the lands," and insert in lieu thereof the words "all the owners of all the lands held in private ownership."

Adopted.

AMENDMENT No. 4.

In lines 20 and 21, Section 4, of the printed bill, strike out the words "three fourths of the landowners owning three fourths of the lands," and insert in lieu thereof the words "all the owners of all the lands held in private ownership."

Adopted.

AMENDMENT No. 5.

In lines 41 and 42, Section 4, of the printed bill, strike out the words "three fourths of the landowners owning three fourths of the land," and insert in lieu thereof the words "all the owners of all the lands held in private ownership."

Adopted.

Assembly Bill No. 775 ordered to engrossment and third reading.

ADJOURNMENT.

At ten o'clock and fifteen minutes P. M., on motion of Mr. Dibble, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 13, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

The roll was called, and the following members answered to their names:

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Kenyon, Lacy, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

LEAVE OF ABSENCE.

Messrs. Waymire and Landsborough were granted leave of absence for the day.

Mr. Valentine was excused for absence at roll call last Tuesday.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 12, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 12th day of March returned to the Assembly, as per request:

Senate Bill No. 100—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887, and to provide the penalty therefor.

Also: Senate Bill No. 370—An Act to amend Section 3495 of the Political Code, by adding a provision relative to adverse occupations.

Also: Assembly Bill No 160—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

F. J. BRANDON, Secretary.

At ten o'clock and twenty-five minutes A. M., the Speaker called Mr. Belshaw to the chair.

MOTION.

Mr. Price moved that the rules be suspended, and the Assembly reconsider the vote whereby Senate Bill No. 370 was on yesterday finally passed.

So ordered.

Senate Bill No. 370—An Act to amend Section 3495 of the Political Code, by adding a provision relative to adverse occupations.

Mr. Price moved that a select committee of one be appointed by the Speaker to make the following amendments:

Amend by striking out of Section 3495, line 17, the last word in the line and inserting the following: "or."

Also: Amend by striking out of Section 3495, line 17, the word "or," and inserting the following: "and."

Also: Amend by inserting in Section 3495, line 5, after the words "ninety-four," the word "situated."

So ordered.

Mr. Price was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 370—An Act to amend Section 3495 of the Political Code, by adding a provision relative to adverse occupations—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, *Committee.*

Report adopted.

Senate Bill No. 370 ordered to printer.

RECONSIDERATION OF VOTE.

Mr. Toland moved that the rules be suspended and the Assembly reconsider the vote whereby Senate Bill No. 100 was finally passed.

Senate Bill No. 100—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887, and to provide the penalty therefor.

Mr. Toland moved that a select committee of one be appointed by the Speaker to make the following amendments:

Amend by striking out of Section 10, line 1, the word "Acts," and inserting the following: "Act."

Also: Insert "Sec. 14" at the beginning of line 3, before the word "This," in Sec. 13.

So ordered.

Mr. Toland was appointed such select committee.

REPORT OF SPECIAL COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1897.

MR. SPEAKER: Your special committee of one, to whom was referred Senate Bill No. 100, with instructions to amend as follows: By striking out of Section 10, line 1, the word "Acts," and inserting in lieu thereof the following: "Act."

Also: Insert "Sec. 14" at the beginning of line 3, before the word "This," in Sec. 13.

TOLAND, *Committee.*

Report adopted.

Senate Bill No. 100 ordered to printer.

SPECIAL ORDERS.

Assembly Bill No. 979—An Act to appropriate money for the payment of interest on the sum of $79,750, being part of the endowment fund of the University of California, heretofore withheld and used for other State purposes, until the State elects to pay said principal sum of $79,750.

Read second time.

Mr. Cutter moved that the House do now resolve itself into Committee of the Whole, with Mr. Belshaw in the chair, for the purpose of considering Assembly Bill No. 979.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Belshaw in the chair.

Assembly Bill No. 979 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Belshaw in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 979—An Act to appropriate money for the payment of interest on the sum of $79,750, being part of the endowment fund of the University of California, heretofore withheld and used for other State purposes, until the State elects to pay said principal sum of $79,750—and now report the same back to the House, and recommend that the same do pass.

BELSHAW, Chairman.

Assembly Bill No. 979—An Act to appropriate money for the payment of interest on the sum of $79,750, being part of the endowment fund of the University of California, heretofore withheld and used for other State purposes, until the State elects to pay said principal sum of $79,750.

Ordered engrossed and to third reading.

MOTION.

Mr. Kelsey moved that Assembly Bill No. 979 be made a special order for Monday, at twelve o'clock M.

So ordered.

LEAVE OF ABSENCE.

Mr. Anderson was granted a leave of absence until Tuesday.

Messrs. Wright and Kelly were granted leave of absence until Monday.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 136—An Act to establish a uniform system of county and township governments.

RECESS.

Pending the third reading of Senate Bill No. 136, at twelve o'clock and twenty-five minutes P. M., on motion of Mr. Wright, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock and fifteen minutes P. M.
Speaker Coombs in the chair
Quorum present.

RESOLUTION.

Resolved, That A. A. Friedlander be and he is hereby allowed for thirty-two days, services (not already allowed) at $5 00 per diem, for services rendered as Sergeant-at-Arms of the Committee on Contested Elections, and the Controller is hereby ordered to draw his warrant therefor, and the Treasurer is instructed to pay the same out of the Contingent Fund of the Assembly.

Referred to Committee on Contested Elections.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 561—An Act to appropriate $7,082 to pay the claim of Francis Williams, for services rendered the State of California as an Irrigation Commissioner.

The following amendment was submitted by Mr. Emmons:

Amend the title of Assembly Bill No 561 by inserting in the title the words "four thousand" in lieu of "seven thousand and eighty-two"

Adopted.

Assembly Bill No. 561 ordered to printer, reëngrossment, and third reading.

Senate Bill No. 136—An Act to establish a uniform system of county and township governments.

Read third time.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 12, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 12th day of March passed Senate Bil No 513—An Act to provide for the construction of a State highway or wagon road from Sacramento City to the Folsom State Prison, in Sacramento County, and appropriating money therefor.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Senate Bill No. 513—An Act to provide for the construction of a State highway or wagon road from Sacramento City to the Folsom State Prison, in Sacramento County, and appropriating money therefor.

Read first time, and placed on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 12th day of March passed Senate Bill No. 336—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Also: Assembly Bill No. 656—An Act providing for the furnishing to Sheriffs and Chiefs of Police of certain information, descriptions, and photographs of convicts about to be discharged by the Wardens of State prisons

Also: Assembly Bill No. 483—An Act making an appropriation to pay the claim of Modoc County against the State of California.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Senate Bill No. 336—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Read first time, and ordered on Senate special file for second reading.

Assembly Bill No. 656 and Assembly Bill No. 483 ordered to enrollment.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 13, 1897.

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bill No. 65.

JAMES H. BUDD, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 13, 1897.

To the honorable Assembly of the State of California:

GENTLEMEN: I return herewith Assembly Bill No. 495 without my approval, and with my objections thereto.

At the last session of the Legislature two new sections, Nos. 492 and 493, were added to the Civil Code. These sections provided that the legislative or governing bodies of any county, city and county, or town might grant franchises for the construction of elevated or underground railroad tracks over, under, or across the streets or public highways of the county or municipality, upon such conditions as the legislative body saw fit to impose. But to this Act is added the important proviso "that before granting such franchise there shall be presented to such governing body a petition signed by the owners of a majority of the landed property, other than public property, on the line of said elevated portion applied for." In addition to this very material requirement, the above Act is a section of the Civil Code which becomes part of and is limited and controlled by the other provisions of that Code.

Bill No. 495 is a general statute, and is modeled so nearly upon the recently enacted Section 492 of the Civil Code that it might be construed to practically repeal that section, and to grant the very liberal powers enumerated in it, without the important and very necessary qualifications and conditions which the Civil Code requires and imposes.

The powers conferred upon local governing bodies by this bill are so very great that, in the total absence of any restrictions, it might lead to serious interference with the public rights or private property. The authority which it gives to grant franchises to construct "roads" for "horseless vehicles" might be construed to include street railroads or steam railroads.

The law relating to street railroads now requires that they shall be propelled only by electricity, cable or horse power; the road must be built as nearly as possible in the middle of the street, the width of the track is limited, the grantee must keep in repair certain portions of the street, a maximum rate of fare is fixed, and other important restrictions are imposed. This bill contains none of these important provisions, and, if enacted, would be the latest legislative expression on the subject, and might be construed to sanction the granting of a fifty-year franchise to operate a steam railroad on the most important street of the most important city of the State. An elevated railroad might be chartered to operate on Spring Street in Los Angeles or Market Street in San Francisco before the very windows of their greatest buildings, costing vast sums of money, the usefulness of which for the purposes for which they were built would be destroyed, and all this upon such "regulations, restrictions, and limitations" only as the governing body might provide.

But assuming that the only power that this Act would be construed to convey would be to authorize franchises for pathways upon the public streets, or elevated roads for bicycles, or similar vehicles, there should be some condition or restriction upon the exercise of this serious authority over the streets of the city or the property of the inhabitants. No petition of property-holders is demanded, nor is the consent of the persons before the front of whose houses the trestle or road is to run required. No proper provision is made for the sale of the franchise, the conditions upon which it shall be held, or by what acts, if any, forfeited. It might be granted as a mere gratuity to a company who would charge a toll for its use. Valuable property might thus be disfigured, its use by its owner possibly restricted, light excluded, quiet disturbed, and privacy invaded, and such owner would have no voice in the matter, nor is any provision made to compensate him for the damage he has suffered. So great a power should not be so freely granted, but should be surrounded by such safeguards as would amply protect the valuable interests which might be affected by its exercise.

JAMES H. BUDD, Governor.

Mr. North moved that the consideration of the Governor's veto message be made the special order for next Monday.

So ordered.

At two o'clock and thirty minutes P. M. the Speaker called Mr. Dibble to the chair.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 136—An Act to establish a uniform system of county and township governments.

Mr. Burnham moved to suspend the rules and take up Senate Bill No. 136.

So ordered.

Mr. Burnham moved that a select committee of one be appointed by the Speaker to make the following amendments:

Amend by striking out of Section 9, line 1, the words "Superior Judge," and inserting the following: "Judge of the Superior Court."

Also: Amend Section 15, line 6, by inserting after the word "city" the words "and county."

Also: Amend Section 25 by inserting in line 44, after the word "surveyor," the following: "in such cases."

Also: Amend Section 25, line 44½, by inserting after the word "structure" the following: "according to his plans and specifications, at a cost not to exceed the amount of the lowest responsible bid received."

Also: Amend section by inserting in Section 25, line 52, after the word "Supervisors," the following: "unless otherwise provided by law."

Also: Amend by striking out of Section 175, line 12, the word "seven," and inserting the following: "nine."

Also: Amend by striking out of Section 161, line 20, the word "two," and inserting the following: "six."

Also: Amend Section 159, line 185, by inserting after the word "annum," the following: "which shall be in full for all services, including attendance upon the Board of Education."

Also: Amend Section 159, line 163, by inserting the following after the word "deputies": the word "stenographer."

Also: Amend by adding to Section 162, subdivision 17, the words "17. All portions of this section referring to the salaries of the Sheriff, County Clerk, Surveyor, and reporters shall take effect and be in full force from and after the passage of this Act."

Also: Amend by striking out of Section 162, line 81, the words "he shall receive"

Also: Amend Section 162, subdivision 12, by inserting after the word "field," in line 65, the following: "*provided*, that in counties of this class, whenever the Board of Supervisors shall order or the Assessor may require Assessor's map or block books, then the Surveyor shall receive, in addition to the salary hereinabove noted, the sum of nine hundred dollars for the preparation and completion of the said map or block books."

Also: Amend by striking out of Section 164 all of lines 41 to 43, inclusive; also, strike out all of line 55, after the word "month," and all of lines 56 to 63, inclusive, and the words "seventy-five dollars per month," in line 64.

Also: Amend Section 164 by striking out of line 27 the words "three thousand" and inserting in lieu thereof the words "four thousand five hundred."

Also: Amend by striking out of Section 164, line 32, the words "two thousand" and inserting in lieu thereof the words "eighteen hundred."

Also: Amend by striking out of Section 166, line 13, the word "eighteen" and inserting the following: "fifteen"

Also: Amend by striking out of Section 166, lines 6 and 7, the words "one deputy, at a salary of nine hundred dollars per annum."

Also: Amend by striking out of Section 166, line 15, the words "and sixty"

Also: Amend Section 169, line 33, subdivision 12, by inserting after the word "county" the following: "duties."

Also: Amend by striking out of Section 170, line 47, the word "forty."

Also: Amend by striking out of Section 170, after the word "Supervisor," in line 48, subdivision 15, the words "twelve hundred," and inserting "one thousand."

Also: Amend by striking out of Section 171, line 37, the word "Act" and inserting the following: "section."

Also: Amend by adding to Section 172, after the line 43, a new subdivision, as follows: "17. The compensation allowed each officer above enumerated shall be in full for all services, and shall include the pay for all deputies and copyists that may be needed in their respective offices whenever the same are allowed."

Also: Amend by striking out of Section 174, lines 27 and 28, the words "five dollars per day" and inserting the following: "five hundred dollars per annum."

Also: Amend by striking out of Section 177, line 32, the words "one hundred" and inserting the following: "seventy-five"

Also: Amend by striking out of Section 178, line 108, the word "of."

Also: Amend Section 184 by adding after the word "direct," in line 82, the following: "*it is further provided*, that in each civil case reported by the official reporter there shall be taxed as costs in the case seven dollars and fifty cents per diem for each day of the trial thereof. Such per diem fee shall be paid to the clerk of the court, in advance, by the party requesting the service of the reporter; and where his services are requested by more than one party, then such fees shall be paid in equal proportions by each of said

parties. All per diem fees so collected shall be paid by said clerk into the treasury of the county in which the case is tried."

Also: Amend Section 181, line 48, by striking out the word "him" and inserting in lieu thereof the word "them"; also, by striking out of line 61, Section 181, the words "the month of August of" and inserting after the word "each," in same line, the words "and every."

Also: Amend Section 181, line 45, by inserting after the word "actions" the following: "In all townships having a population of less than two thousand five hundred, if there be more than one justice, the compensation allowed herein shall be equally divided between them so that the sum total of their monthly compensation shall not exceed the salary allowed herein for a single justice in such township."

Also: Amend Section 181, line 59, by inserting after the word "actions" the following: "In all townships having a population of less than two thousand five hundred, if there be more than one Constable, the compensation herein allowed shall be equally divided between them, so that the sum total of their monthly compensation shall not exceed the salary allowed herein for a single Constable in such township."

Also: Amend by striking out of Section 182, line 50, the word "eight" and inserting the following: "seven."

Also: Amend by striking out of Section 182, line 49, the word "August" and inserting the following. "June."

Also: Amend by striking out of Section 182, line 6, the word "eight" and inserting the following: "seven."

Also: Amend by striking out of Section 167, line 13, the word "six" and inserting the following: "eight"; also, strike out of line 13 of Section 167 the words "and fifty" after the word "hundred."

Also: Amend by inserting in Section 187, line 31, between the words "actually" and "in," the word "visited."

Also: Amend by inserting in Section 187, line 42, the words "after the first six hours," between the words "hour" and "actually."

Also: Amend by inserting in Section 187, line 59, between the words "hour" and "actually" the following: "after the first six hours."

Also: Amend by inserting in Section 187, line 124, between the words "actually" and "travel," the following: "and necessarily."

Also: Amend by striking out of Section 187, lines 127 and 128, the words "for traveling and executing such writ, order, or paper, in going only, twenty cents."

Also: Amend by striking out of Section 187, lines 151 and 152, the words "prisoner in addition to the Constable fee of fifteen cents per mile, in going only," and inserting the following in lieu thereof: "prisoners."

Also: Amend by striking out of Section 187, line 171, the words "five days," and inserting the following in lieu thereof: "ten hours."

Also: Amend by striking out of Section 187, lines 174 and 175, the words "county officers must and township officers may demand the payment of all fees in civil cases in advance"; also, make a paragraph of the matter commencing with the word "*provided*," in line 175, Section 187.

Also: Amend by striking out of Section 187, line 201, the words "before and examinations."

Also: Amend by inserting in Section 189, after line 82, at the end of section, the following: "The provisions of this section shall take effect immediately, except as to subdivision three thereof, which subdivision shall take effect on the first Monday after the first day of January, 1899."

Also: Amend by inserting in Section 189, line 50, after the word "population," the following: "as nearly as may be."

Also: Amend by inserting in Section 189, line 53, after the word "population," the following: "as nearly as may be."

Also: Amend by striking out of Section 196, lines 14 and 15, the words "and same proviso as contained in Bill 136."

Also: Amend by striking out of Section 196, lines 19 and 20, the words "and same proviso as contained in Bill 136."

Also: Amend by striking out of Section 196, line 41, the words "thirty-five" and inserting the following: "sixty."

Also: Amend Section 196, line 31, by inserting after the word "the" the word "Superior."

Also: Amend Section 191 by inserting the following in line 84, between the words "use" and "fifteen," viz: "not to exceed."

Also: Amend by inserting in Section 191, line 7, after the word "annum," the following: "and fees, commissions, and mileage for the service of papers or process coming from courts other than those of his own county"; also, strike out of line 24 the word "six," and insert the word "eight"; also, strike out of Section 191, line 30, the words "one hundred."

Also: Amend by inserting in Section 198, line 7, after the word "annum," the following: "and fees, commissions, and mileage for the service of papers or process coming from courts other than those in his own county"; also, strike out of line 8 the word "five" and insert the word "six"; also, amend by striking out of line 24 the word "four," and inserting "six."

Also: Strike out of line 29 the word "the," between the words "two" and "preparing."

Also: Amend Section 198 by striking out of lines 65, 66, and 67 the words "and for all services other than transcribing testimony during the taking of such testimony at trial in the Superior Court"

Also: Amend by inserting in Section 198, line 76, after the word "notes," and before the word "in," the following: "in criminal cases and."

Also: Amend by striking out of Section 198, lines 77, 78, and 79, the words "there shall be paid to the clerk of said court by the party demanding the same, and prior to the delivery of such transcript," and inserting the following: "said reporter shall receive not to exceed."

Also: Amend by inserting in Section 198, line 83, between the words "use" and "fifteen," the following: "not to exceed"

Also: Amend by striking out of Section 198, lines 89, 90, and 91, the words "fees for transcribing in civil cases, other than at the taking of testimony, together with said," and inserting after the word "fees," in line 91, the following: "so"; also, after the word "collected," in line 91, insert the following: "by the clerk"

Also: Amend by striking out of Section 199, line 15, the words "two thousand," and inserting the following: "one thousand eight hundred."

Also: Amend by striking out of Section 204, lines 49, 50, 51, and 52, and inserting the following: "15. Each Supervisor, five dollars per day while attending session of the board, and while engaged in the performance of the duties of road commissioner, and mileage at the rate of twenty cents per mile for traveling from residence to county seat in attendance upon a regular session of the board."

Also: Amend by striking out of Section 205, line 43, "by" (the first "by") and inserting the following: "from."

Also: Amend Section 215, line 69, by inserting the following after the word "action": "The Sheriff may retain for his own use the mileage for service of papers or process issued by any court of the State outside of his own county."

Also: Amend Section 228, line 5, after the word "county," in said line 5, by inserting the following: "and in civil actions and proceedings in which the county is interested."

Also: Amend Section 228, line 7, after the word "cases," in said line 7, by inserting the following: "and in civil actions and proceedings and all other matters in which the county is interested."

Also: Amend Section 183 by striking out of line 49 the word "five" and inserting in lieu thereof the word "three."

The question being, "Shall Senate Bill No. 136 be referred to a select committee of one to amend in accordance with the foregoing?"

So ordered.

Mr. Burnham was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 136—An Act to establish a uniform system of county and township governments—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.

BURNHAM, Committee.

Report adopted.

Mr. Austin moved that a select committee of one be appointed by the Speaker to make the following amendments:

SEC. 164 In counties of the seventh class the county officers shall receive, as compensation for the services required of them by law or by virtue of their offices, the following salaries, to wit:

1. The County Clerk, thirty-five hundred dollars per annum.
2. The Sheriff, thirty six hundred dollars per annum. The Sheriff shall also receive for his own use and benefit the fees for mileage which are now or which may hereafter be allowed by law, and the fees or commissions for the service of all papers whatsoever issued by any court of the State outside of his county; and shall also receive his necessary expenses in all criminal cases.
3. The Recorder, twenty-five hundred dollars per annum.
4. The Auditor, one thousand dollars per annum.
5. The Treasurer, twenty-five hundred dollars per annum.
6. The Tax Collector, eight hundred dollars per annum.
7. The Assessor, twenty-two hundred dollars per annum
8. The District Attorney, three 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, two thousand 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.
13. Justices of the Peace shall receive the following salaries for all services rendered

by them in criminal cases, payable monthly, in the same manner as county officers are paid, viz.: In townships having a population of fourteen thousand or more, one hundred dollars per month; in townships having a population of not less than five thousand nor more than fourteen thousand, sixty-five dollars per month; in townships having a population of not less than three thousand nor more than five thousand, fifty dollars per month; in townships having a population of not less than two thousand nor more than three thousand, forty dollars per month; in townships having a population of not less than fifteen hundred nor more than two thousand, thirty dollars per month; in all townships having a population of less than fifteen hundred, fifteen dollars per month. Justices of the Peace in counties of this class shall also receive for their own use and benefit such fees as are now or may hereafter be allowed by law in civil cases.

14. Constables shall receive the following salaries for all services rendered by them in criminal cases, payable monthly, in the same manner as county officers are paid, viz. In townships having a population of fourteen thousand or more, one hundred dollars per month; in townships having a population of not less than five thousand nor more than fourteen thousand, sixty-five dollars per month: in townships having a population of not less than three thousand nor more than five thousand, fifty dollars per month; in townships having a population of not less than two thousand nor more than three thousand, forty dollars per month; in townships having a population of not less than fifteen hundred nor more than two thousand, thirty dollars per month; in all townships having a population of less than fifteen hundred, fifteen dollars per month. Constables shall also receive for their own use and benefit such fees as are now or hereafter may be allowed by law for mileage in criminal cases, and shall also receive such fees as are now or hereafter may be allowed by law in civil cases.

15. Each member of the Board of Supervisors, nine hundred dollars per annum, and their necessary expenses when attending to the business of the county, other than the meetings of the board, and fifteen cents a mile mileage in traveling to and from his residence to the county seat; *provided*, that no more than one mileage at any one term of the board shall be allowed.

16. The County Clerk shall have one chief deputy at a salary of twelve hundred dollars per annum, two court-room deputies, at a salary of nine hundred dollars per annum each; 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. The County Recorder, one deputy, at a salary of twelve hundred dollars per annum, and two deputies at a salary of nine hundred dollars per annum each. The Treasurer, one deputy at a salary of fifteen hundred dollars per annum. The Assessor, one office deputy, at a salary of twelve hundred dollars per annum, and fifteen deputies, to serve from the first Monday in March to the first Monday in July of each year, and shall each receive four dollars per day for each day they actually and necessarily attend to the duties of the office. The District Attorney, an Assistant District Attorney, at a salary of fifteen hundred dollars per annum, and a Deputy District Attorney, at a salary of nine hundred dollars per annum. The Sheriff, an Under-Sheriff, who shall receive a salary of fifteen hundred dollars per annum; a clerk, who shall receive a salary of nine hundred dollars per annum, a Deputy Sheriff, who shall receive a salary of nine hundred dollars per annum; two bailiffs or court-room deputies, each of whom shall receive a salary of nine hundred dollars per annum; two jailers, who shall receive a salary of nine hundred dollars per annum each. All the deputies, assistants, and clerks herein mentioned shall be paid at the times and in the manner that their principals are paid, from and after the approval of this Act.

This Act, so far as it relates to Constables and Justices of the Peace in counties of the seventh class, shall take effect immediately.

The question being, "Shall Senate Bill No. 136 be referred to a select committee of one to amend?"

So ordered.

Mr. Austin was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1897.

MR SPEAKER. Your select committee, to whom was referred Senate Bill No 136—An Act to establish a uniform system of county and township governments—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.

AUSTIN, Committee.

Report adopted.

Mr. Cutter moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 25 all of subdivision 42.

So ordered.

Mr. Cutter was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 136—An Act to establish a uniform system of county and township governments—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.

CUTTER, Committee.

Report adopted.

Mr. Power, of Placer, moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 215, lines 69, 70, and 71, the words "The Sheriff may retain for his own use the mileage for the service of papers in process issued by any court of the State outside of his own county."

Motion lost.

Mr. Hill moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend Section 168, subdivision 8, by adding thereto the following: "*provided*, that when authorized by four-fifths vote of the Board of Supervisors, the District Attorney shall appoint an Assistant District Attorney, which office is hereby created, who shall receive as compensation for his services fifteen hundred dollars per annum, to be paid out of the county treasury in equal monthly installments, in the same manner as other county officials are paid, except as otherwise herein provided."

So ordered.

Mr. Hill was oppointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 136—An Act to establish a uniform system of county and township governments—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.

HILL, Committee.

Report adopted.

Mr. Caminetti moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend Section 193 by adding, after line 37, a new subdivision, as follows:

16. To authorize by four-fifths vote the District Attorney to appoint an Assistant District Attorney, which office is hereby created, who shall receive as compensation for his services fifteen hundred dollars per annum, to be paid out of the county treasury in equal monthly installments, in the same manner as other county officials are paid, except as otherwise herein provided; *provided, however*, that whenever the Assistant District Attorney may be employed for any period of time less than one year or one month he shall be paid the same rates for the time appointed.

So ordered.

Mr. Caminetti was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 136—An Act to establish a uniform system of county and township governments—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.

CAMINETTI, Committee.

Report adopted.

Mr. Caminetti moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend Section 171 by adding, after line 36, a new subdivision, to read as follows:

16. To authorize, by four-fifths vote, the District Attorney to appoint an Assistant District Attorney, which office is hereby created, who shall receive as compensation for his services one thousand five hundred dollars per annum, to be paid out of the county

treasury, in equal monthly installments, in the same manner as other county officials are paid, except as otherwise herein provided; *provided, however*, that whenever the Assistant District Attorney may be employed for any period of time less than one year or one month he shall be paid the same rates for the time appointed.

So ordered.

Mr. Caminetti was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 136—An Act to establish a uniform system of county and township governments—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.

CAMINETTI, Committee.

Report adopted.

Senate Bill No. 136 ordered to printer, and to retain its place on file.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 827—An Act to amend Sections 3664 and 3665 of the Political Code.

Also: Assembly Concurrent Resolution No. 11—Relative to dispensing with Joint Rules XL, XLVIII, and XLIX.

Also: Assembly Concurrent Resolution No. 12—Relative to adjournment *sine die*.

And presented the same to the Governor on this day, at three o'clock and twenty minutes P. M.

Also: Assembly Bill No. 783—An Act to amend Section 2737 of the Political Code, relating to bridges and highways, and the construction of bridges over ditches and across highways

Also: Assembly Bill No. 8—An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors, and marines in this State who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889

Also: Assembly Bill No. 76—An Act to amend Section 261 of the Penal Code of the State of California, relating to the crime of rape, and what constitutes the same.

Also: Assembly Bill No. 419—An Act to amend Section 542 of the Code of Civil Procedure.

Also: Assembly Bill No. 45—An Act requiring every corporation in this State to pay their employés, and each of them, at least once in each and every month, the wages earned by such employés; 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-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 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.

And presented the same to the Governor on this day, at twelve o'clock and forty-five minutes P. M.

HENRY, Acting Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 553—An Act to provide for the survey and construction of a wagon road from Tallac to McKinneys, along the shore of Lake Tahoe, and making an appropriation therefor

Assembly Bill No. 897—An Act to authorize the Governor to employ an agent to collect certain claims due the State of California by the United States, and to provide compensation for such services.

Assembly Bill No. 882—An Act to amend Section 718 of the Civil Code, relating to the length of leases of city lots

Assembly Bill No. 5—An Act for the relief of Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

Assembly Bill No. 317—An Act appropriating the sum of $15,000 for the erection in Golden Gate Park, San Francisco, California, of a monument or statue to the memory of Colonel E. D. Baker, and appointment of a commission to carry into effect the provisions of this Act.

Assembly Bill No. 159—An Act to pay the claim of William M. Sullivan, and making an appropriation therefor.

Assembly Bill No. 161—An Act to pay the claim of W. H. Donnelly against the State of California, and making an appropriation therefor.

Assembly Bill No. 958—An Act to repay and reimburse John C. Pelton for money expended and for services rendered in establishing the first free public school in the State of California.

AUSTIN, Chairman.

SPECIAL URGENCY FILE.

Senate Bill No. 288 (Substitute for Assembly Bill No. 325)—An Act to provide for the completion and equipment of the Industrial Home of Mechanical Trades for the Adult Blind of 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. Aldridge, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Godfrey, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Kelsey, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Price, Ryan, Sanford, Sims, Soward, Strain, Toland, Valentine, and Vosburg—51.

NOES—Mr. Landsborough—1.

Title read and approved.

A question arising as to order of procedure in the reading of bills, the Speaker ruled that all bills on the special urgency file which had not been read at all should have preference to those which were read second time last evening.

APPEAL.

Mr. Valentine appealed from the decision of the Chair.

The Chair was sustained.

Senate Bill No. 460—An Act to amend Sections 3465 and 3466 of the Political Code of the State of California, relating to the collection of assessments in reclamation districts of the State.

Read second time.

The following committee amendment was submitted:

Amend by adding after the word "proper," in line 76, page 3, of the printed bill, the following: "subject, however, to the right of redemption, if sold before the expiration of such time."

Adopted.

Senate Bill No. 460 ordered to printer and third reading.

LEAVE OF ABSENCE.

Mr. Jones was granted leave of absence until Monday morning.

Assembly Bill No. 376—An Act to appropriate money for the erection of additional buildings at the Preston School of Industry at Ione, and for furnishing and equipping 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. Aldridge, Allen, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Damon, Dibble, Dolan,

Dryden, Emmons, Ennis, Foreman, Godfrey, Goff, Guy, Hill, Houghton, Keables, Keegan, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, Pohlmann, Power of Placer, Price, Rubell, Sanford, Sims, Soward, Strain, Toland, Valentine, and Vosburg—50.

NOES—None.

Title read and approved.

MOTION.

Mr. Soward moved that the rules be suspended, and he be allowed to present a report of a select committee out of order.

Motion lost.

Assembly Bill No. 586—An Act to amend Section 574 of the Civil Code, relating to the ownership and disposition of property of savings and loan 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. Aldridge, Allen, Belshaw, Bettman, Boone, Breiling, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Godfrey, Goff, Harris, Hill, Houghton, Hudson, Keables, Keegan, Kelsey, Lacy, Landsborough, Mahoney, Malcolm, Melick, Mulcrevy, McClellan, McGrath, Pohlmann, Rubell, Shanahan, Soward, Strain, Toland, Valentine, and Vosburg—46.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution, in relation to sessions of the Legislature.

Mr. Caminetti moved to reconsider the vote by which Assembly Constitutional Amendment No. 34 was amended, changing the date from January to February.

So ordered.

The question being on the adoption of the amendment.

The same was lost.

Assembly Bill No. 824—An Act to empower the Common Council, Board of Trustees, Board of Supervisors, or other legislative or governing body of cities, or cities and counties, having a population of over one hundred thousand, to pension the widows of 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. Aldridge, Allen, Bettman, Breiling, Burnett, Burnham, Caminetti, Canavan, Cartwright, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Godfrey, Goff, Guy, Harris, Henry, Houghton, Hudson, Keables, Keegan, Kelly, Kelsey, Lacy, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Toland, and Vosburg—52.

NOES—Messrs. Belshaw and Chynoweth—2.

Title read and approved.

Assembly Bill No. 938—An Act to provide for the auditing of claims of the Superintendent of State Printing, the purchase of supplies, the examination of accounts and books relating to State printing, and the employment of an expert printer by the Board of Examiners, and providing for his compensation.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 384—An Act to amend Section 3 of an Act entitled "An Act to confer certain powers upon corporations organized

for the purpose of discovering and preventing fires, and of saving property and human life from conflagration," 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. Allen, Belshaw, Bettman, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Godfrey, Goff, Harris, Henry, Houghton, Hudson, Keables, Keegan, Kelsey, Lacy, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, Pohlmann, Power of Placer, Price, Rubell, Ryan, Shanahan, Sims, Soward, Strain, and Vosburg—44.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Pohlmann was granted leave of absence for the remainder of the day.

Assembly Bill No. 631—An Act to repeal Section 3640 of the Political Code of California, relating to the duties of Assessor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Allen, Austin, Bettman, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Godfrey, Goff, Guy, Harris, Henry, Hill, Houghton, Keables, Keegan, Kelsey, Lacy, Landsborough, Lindenberger, Mead, Melick, McGrath, Power of Placer, Power of San Francisco, Rubell, Ryan, Shanahan, Sims, Soward, Toland, and Vosburg—42.

NOES—Messrs Boone, Cartwright, McClellan, and Price—4.

Title read and approved.

Senate Bill No. 422 (Substitute for Assembly Bill No. 544)—An Act to amend Sections 1895, 1897, 1898, 1900, 1912, 1913, 1918, 1919, 1924, 1936, 1945, 1962, 1965, 1966, 1970, 1973, 1974, 1976, 1980, 1981, 1982, 1984, 1986, 1990, 2003, 2006, 2007, 2018, 2022, 2076, 2084, 2094, 2099, and 2105 of the Political Code, and to repeal Section 2101 thereof, and to add two new sections thereto, to be known as Sections 2008 and 2009, all relating to the National Guard 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 Aldridge, Allen, Austin, Bettman, Boone, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Godfrey, Goff, Guy, Harris, Henry, Hill, Hudson, Keables, Kelsey, Lacy, Landsborough, Lindenberger, Mead, Melick, McClellan, Power of Placer, Power of San Francisco, Price, Ryan, Shanahan, Soward, Strain, and Toland—41.

NOES—Messrs. Houghton and Rubell—2.

Title read and approved.

Assembly Bill No. 932—An Act making an appropriation to pay the claim of Charles W. Metcalf against 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. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Burnett, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Godfrey, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Keables, Kelsey, Lacy, Landsborough, Lindenberger, Malcolm, Mead, Melick, McClellan, McGrath, Power of Placer, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Toland, and Vosburg—52.

NOES—Mr. Price—1.

Title read and approved.

COMMUNICATION.

To Hon. FRANK L. COOMBS, *Speaker of the House:*

DEAR SIR: The United States railway mail delegates en route to San Francisco will visit the Capitol building at 9:15 A. M. Monday, to be received by the Governor and the Mayor of Sacramento, and the use of your chamber is respectfully asked for from 9 to 9:45 A. M.

Yours, etc.,

THOS. FOX, Postmaster of Sacramento.

On motion of Mr. Dennery, the request was granted.

SPECIAL URGENCY FILE—(RESUMED)—MOTION.

Mr. Caminetti moved that Assembly Bill No. 964 be substituted on the file for Assembly Bill No. 591.

So ordered.

Assembly Bill No. 964—An Act to amend Section 3930 of the Political Code, relating to the permanent boundary line between the counties of Amador and El Dorado.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Goff, Harris, Hill, Houghton, Keables, Kelsey, Landsborough, Lindenberger, Malcolm, Mead, Melick, McClellan, McGrath, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Toland, and Vosburg—46.

NOES—None.

Title read and approved.

Senate Bill No. 38—An Act appropriating the sum of $5,000 for repairs and improvements in the State Normal School buildings 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. Aldridge, Allen, Arnerich, Austin, Bettman, Burnett, Caminetti, Canavan, Chynoweth, Cross, Cutter, Damon, Dryden, Elliott, Emmons, Ennis, Godfrey, Guy, Harris, Henry, Hill, Houghton, Hudson, Keables, Kelsey, Lacy, Landsborough, Lindenberger, Malcolm, Mead, Melick, McGrath, Power of Placer, Price, Rubell, Ryan, Sanford, Sims, Soward, Strain, Toland, and Vosburg—42.

NOES—None.

Title read and approved.

At five o'clock and five minutes P. M., Speaker Coombs resumed the chair.

Senate Bill No. 684—An Act to assist the Woman's Relief Corps Home Association to provide for ex-army nurses and the worthy destitute widows, wives, mothers, and destitute maiden daughters or sisters of veterans who served honorably in the war for the Union, 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. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Godfrey, Goff, Guy, Harris, Henry, Houghton, Hudson, Keables, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney,

Malcolm, Mead, Melick, McClellan, McGrath, Power of Placer, Power of San Francisco, Price, Rubell, Shanahan, Sims, Soward, Strain, Toland, Vosburg, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Senate Bill No. 318—An Act to provide for the protection and preservation of public highways from damage by storm-waters and floods, and to authorize the expenditure of public moneys for the purposes thereof.

Read second time, and ordered on file for third reading.

Assembly Bill No. 285—An Act for the employment of the homeless and the unemployed, and for the punishment of vagrants.

Read third time.

Mr. Soward moved to refer Assembly Bill No. 285 to a select committee of one to amend as follows:

COMMITTEE AMENDMENT NO. 1

Amend by striking out the whole of the title and inserting the following in lieu thereof: "An Act to provide for the employment of the needy unemployed, and of vagrants under sentence."

COMMITTEE AMENDMENT NO. 2.

Amend by striking out the whole of Section 1 and inserting the following in lieu thereof:

SECTION 1. The Board of Supervisors of each county or city and county in this State may, by ordinance, provide that each road district, supervisor district, or other subdivision of such county or city and county, defined and designated in such ordinance, shall constitute an employment district for the purposes of this Act, and that the road overseer, road trustee, or road commissioner, or other governing officer or body, therein, as the case may be, shall be workmaster therein, who shall superintend and direct the labor expended upon the public highways, under the supervision and authority of the Board of Supervisors, as in this Act provided. Upon such ordinance being adopted by the Board of Supervisors of any county or city and county in this State, all the provisions of this Act shall apply to such county or city and county, and be in full force and effect therein.

COMMITTEE AMENDMENT NO. 3.

Amend by striking out the whole of Section 2, and inserting in lieu thereof the following:

SEC. 2. Any adult person, upon showing to the satisfaction of the workmaster of any employment district, or of the Board of Supervisors, or of the superintendent of the county farm, that he is without means of support, and in immediate need of the necessaries of life, shall be employed by such officers, according to the respective authority, to labor on the county farm, or the public highways, in such county or city and county, under the direction of the superintendent of said farm, or of the workmaster of said employment district, as herein provided, for which services he shall receive his lodging and three meals per day, and be paid at the end of each week thirty-five cents per day, of eight hours' labor, for each day's service, the same to be paid out of any moneys or funds available for the payment of work done upon the highways or upon the county farm, and in the same manner that other services upon such highways or county farm are, by law, authorized to be paid.

COMMITTEE AMENDMENT NO. 4.

Amend by striking out of Section 3, line 5, the words "three days'," and inserting the following in lieu thereof: "one day's."

COMMITTEE AMENDMENT NO. 5.

Amend by striking out of Section 4, line 1, the words "or the road commissioner."

COMMITTEE AMENDMENT NO. 6.

Amend by striking out the whole of Sections 5 and 6, and inserting the following in lieu thereof:

SEC. 5. The Board of Supervisors may also, by proper ordinance, provide that all persons who may be convicted upon charges of vagrancy may, after their conviction, be taken or removed to any of such employment districts, or to the county farm, and be there required to labor upon the public highways or county farm for the number of days for which they were sentenced, under such regulations as may be prescribed by such ordinance.

COMMITTEE AMENDMENT NO. 7.

Amend by striking out of Section 7, line 1, the figure "7," and inserting in lieu thereof the figure "6."

Also: Amend Section 7 by inserting between the words "labors" and "while," in line 4 thereof, the following: "on the public highways, or the county farm, as provided in this Act."

COMMITTEE AMENDMENT NO. 8.

Amend by striking out the whole of Section 8.

COMMITTEE AMENDMENT NO. 9.

Amend by striking out the whole of Section 9 and inserting the following:

SEC. 7. The workmasters herein mentioned, and their regularly appointed deputies, and the superintendents or other persons who shall have lawful charge of the vagrants employed on the public highways or county farms, are hereby endowed with the legal powers of policemen, limited, however, to the duties of overseeing, controlling, arresting, and having and keeping custody of the persons of such vagrants while under sentence of court.

COMMITTEE AMENDMENT NO. 10.

Amend by striking out the whole of Section 10 and inserting the following in lieu thereof:

SEC. 8. The Board of Supervisors of each county, and city and county, shall have full power and authority in counties, and cities and counties, now owning or leasing, or which may hereafter own or lease, farms designated as county farms, to provide by ordinance for the transfer of vagrants under sentence of court from the public highways to the county farm, and from such farm to the highways, and from any employment district to any other employment district in their county or city and county.

COMMITTEE AMENDMENT NO. 11.

Amend by striking out the whole of Section 11 and inserting the following in lieu thereof:

SEC. 9. If any vagrant, under sentence, is able-bodied and not ill, and yet refuses to perform reasonable labor under direction of the workmaster or superintendent of the county farm, he shall be delivered into the custody of the Sheriff of the county, whose duty it shall be to incarcerate him in the county jail for the remainder of his term of sentence, or until he shall agree to perform such labor under the direction of the workmaster or superintendent, allowing him but one meal per day of twenty-four hours, and administering other proper punishments, and at the end of his term of imprisonment he shall receive no compensation for the days of his term he refused to labor as required by this Act.

COMMITTEE AMENDMENT NO. 12.

Amend by striking out the whole of Section 12 and inserting the following in lieu thereof:

SEC. 10. The Board of Supervisors of each county, and city and county, in this State is hereby authorized and empowered to provide by ordinance, or otherwise, all things necessary for the carrying out of the provisions of this Act.

COMMITTEE AMENDMENT NO. 13.

Amend by striking out the whole of Section 13.

COMMITTEE AMENDMENT NO. 14.

Amend by striking out of Section 14, line 1, the figures "14," and inserting the following in lieu thereof: "11."

COMMITTEE AMENDMENT NO. 15.

Amend by striking out of Section 15, line 1, the figures "15," and inserting the following in lieu thereof: "12."

The question being, "Shall Assembly Bill No. 285 be referred to a select committee to amend?"

So ordered.

Mr. Soward was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 285—An Act for the employment of the homeless and the unemployed, and for the punish-

ment of vagrants—has had the same under consideration, and respectfully reports the same back, with amendments, and recommends that it do pass as amended.

SOWARD, Committee.

Adopted.

MOTION.

Mr. Price moved that when the Assembly do adjourn, it adjourn to meet Monday at nine o'clock and thirty minutes A. M.

So ordered.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 493—An Act to pay the claim of E N. Strout, for services rendered as Reclamation Fund Commissioner, from July 1, 1873, to April 1, 1874, amounting to two thousand dollars, and appropriating money to pay the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 291—An Act to provide for reseating the hall in the State Normal School building at San José, and for the building of a gymnasium for the said State Normal School, and to provide an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 383—An Act to provide for the construction and furnishing of a gymnasium building for the use of the State Normal School at San José, 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.

GUY, Chairman.

Senate Bills Nos. 493 and 291 placed on file for second reading.

Assembly Bill No. 383 withdrawn by author.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 729—An Act to amend Section 3571 of the Political Code, relating to the repayment of purchase price of land sold which is not the property of the State, and providing for a certificate of restitution to issue when the certificate of purchase to such land has been annulled for non-payment of interest.

Assembly Bill No. 638—An Act relating to the liens of miners and others upon mining claims.

Assembly Bill No 781—An Act to add a new section to the Political Code, to be known as Section 2681½, relating to roads and highways.

Assembly Bill No 490—An Act to amend Sections 3629, 3633, 3651, 3653, 3658, 3678, 3681, 3738, 3746, 3795, 3820, 3821, 3825, 3826, and 3881 of the Political Code, relating to the general revenue of the State, and to property liable to assessment and taxation for the purposes of revenue, and the duties of taxpayers for the purpose of assessment of property and in the collection of taxes; and to add to the Political Code a new section, to be known as Section 3683, relating to the making of abstracts by the Register of Land Offices; and also a new section, to be known as Section 3831, relating to taxes on mortgage interest on personal property, and providing the time of the payment of the same, and the means of forced collection of the same.

Assembly Bill No. 296—An Act to appropriate the sum of $295 85, to pay the claim of the Tribune Printing Company against the State

Assembly Bill No 913—An Act to pay the claim of the County of Tehama, and making an appropriation therefor.

Assembly Bill No. 857—An Act to amend Sections 2528 and 2552 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the San Francisco and State Harbor Commissioners, approved March 19, 1889.

Assembly Bill No. 877—An Act to prevent the perpetuation of disease, to prevent crime, and to provide for a surgical operation in certain cases.

Assembly Bill No. 927—An Act to repeal an Act entitled "An Act to declare Lake Earl, in Del Norte County, navigable."

Assembly Bill No. 979—An Act to appropriate money for the payment of interest on the sum of $79,750, being part of the endowment fund of the University of California

heretofore withheld and used for other State purposes, until the State elects to pay said principal sum of $79,750.

AUSTIN, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1897.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Concurrent Resolution No. 5—Relating to the National Educational Association—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

CLARKE, Acting Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 417—An Act to define the duties of and to license land surveyors, amendatory of "An Act to define the duties of and to license land surveyors," approved March 31, 1891.

Also: Senate Bill No 427—An Act to amend Section 681 of the Code of Civil Procedure of the State of California, relating to executions.

Also: Senate Bill No. 161—An Act to amend Section 798 of the Political Code of the State of California, fixing the fees of notaries public.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 429—An Act to add a new section to the Code of Civil Procedure, said section to be designated as Section 1681, relating to the filing of accounts of executors and administrators after their death—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No 113—An Act to amend Section 685 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—have had the same under consideration, and respectfully report the same back, under instructions from the House, and recommend that it do pass as amended.

WAYMIRE, Chairman.

Senate Bills Nos. 417, 427, 161, 429, and 113 placed on file for second reading.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 798—An Act to pay the claim of the County of Monterey, and making an appropriation therefor.

Read second time.

Mr. Hudson moved that the Assembly do now resolve itself into Committee of the Whole, with Speaker Coombs in the chair, for the purpose of considering Assembly Bill No. 798.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 798 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 798—An Act to pay the claim of the County of Monterey, and making an appropriation therefor—and now report the same back, with amendments, and recommend that the same do pass as amended

COOMBS, Chairman.

Report adopted.

Assembly Bill No. 798—An Act to pay the claim of the County of Monterey, and making an appropriation therefor.

The following amendment was submitted by Mr. Hudson:

Amend by inserting the following: In Section 1, on line 2 thereof, the word "state," immediately preceding the word "treasury"; also, adding after the word "Monterey," on line 5 of same section, the words "balance due for the support of orphans, half orphans, and aged indigent persons." In Section 2, on line 2 thereof, insert the word "state," immediately preceding the word "treasury."

Adopted.

Assembly Bill No. 798 ordered to printer, engrossment, and third reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 13, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 13th day of March adopted Senate Joint Resolution No. 13—Relative to House of Representatives Bill No. 260.

Also: Senate Joint Resolution No. 14—Relative to classification of clerks in first and second class post offices.

Also: On the 12th day of March, adopted Senate Concurrent Resolution No. 11—Relative to employment of electrician, engineer, and fireman for the remainder of the session.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

MOTIONS.

Mr. Dibble moved to reconsider the vote by which Assembly Bill No. 362 was on yesterday finally passed, in accordance with notice of reconsideration given by Mr. Anderson.

On motion of Mr. Dibble, continued and made special order for Monday next.

Mr. Dibble moved to reconsider the vote by which Senate Bill No. 443 was on yesterday refused passage, in accordance with notice of reconsideration given by Mr. Waymire.

On motion of Mr. Dibble, continued and made special order for Monday next.

Mr. Dibble moved to reconsider the vote by which Assembly Bill No. 449 was on yesterday refused passage, in accordance with notice of reconsideration given by Mr. Sims.

On motion of Mr. Dibble, continued and made special order for Monday next.

ADJOURNMENT.

At five o'clock and thirty-five minutes P. M., on motion of Mr. Dennery, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 15, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

The roll was called, and the following members answered to their names:

Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey,

Goff, Guy, Harris, Hill, Hudson, Jones, Keables, Keegan, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, North of Alameda, North of Yolo, Power of Placer, Price, Rubell, Ryan, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

LEAVE OF ABSENCE.

Mr. Robinson was granted leave of absence for this week, Mr. Kenyon for to-day and to-morrow, and Messrs. Mulcrevy and Pohlmann for the day.

READING OF JOURNAL.

The reading of the Journal of Saturday was ordered dispensed with.

APPROVAL OF JOURNALS.

The Journals of Wednesday, March 10, Thursday, March 11, and Friday, March 12, were approved as corrected.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 13, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 11th day of March amended, and passed as amended, Assembly Bill No. 828—An Act to provide for the appointment of a mining inspector in each congressional district in the State, to define his duties, and provide for his compensation and the liability of mining operators.

Also: On the 13th day of March passed Senate Bill No 271—An Act to appropriate the sum of $295 85 to pay the claim of the Tribune Printing Company against the State.

Also: Senate Bill No. 386—An Act to pay the claim of Paris Kilburn, J. B. Fuller, and H. W. Magee, Bank Commissioners of the State of California, and making an appropriation therefor.

Also: Senate Bill No. 609—An Act making an appropriation to pay the claim of J. W. Sibole.

Also: Senate Bill No. 205—An Act making an appropriation to pay for advertising the constitutional amendments for 1894.

Also: Senate Bill No. 670—An Act appropriating $10,000 to pay the claim of Addie McGinnes.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Assembly Bill No. 828—An Act to provide for the appointment of a mining inspector in each congressional district in the State, to define his duties, and provide for his compensation and the liability of mining operators.

The following Senate amendment was submitted:

Amend by striking out of Section 2, lines 11 and 12, the words "and the fact that the danger was known to such employés shall be no defense against such liability."

The question being, "Shall the Assembly concur in the Senate amendment to Assembly Bill No. 828?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Aldridge, Allen, Arnerich, Boone, Breiling, Bridgford, Burnett, Caminetti, Chynoweth, Cross, Damon, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Guy, Harris, Hill, Houghton, Jones, Keables, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, North of Yolo, Power of San Francisco, Rubell, Ryan, Sanford, Sims, Soward, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—46.

NOES—None.

Assembly Bill No. 828 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 13th day of March amended, and passed as amended, Assembly Bill No 730—An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Assembly Bill No. 730—An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes.

The following Senate amendments were submitted:

Amend by striking out of Section 41, line 13, the words "except as hereinafter provided."

Also: Amend by striking out of Section 52, lines 3 to 13, inclusive, and the words "pons in full," in line 14.

Also: Amend by striking out of Section 55, line 9, the word "either."

Also: Amend by striking out of Section 110, line 8, the words "approved March seventh, eighteen hundred," and all of line 9, in Section 110.

Also: Amend by striking out of Section 18, line 7, the words "*and provided*," and also strike out lines 8, 9, and 10.

Also: Amend by striking out of Section 109, line 5, the words "shall become" and inserting in lieu thereof the following: "are hereby made."

Also: Amend by striking out the two lines following the title of Assembly Bill No. 730 and inserting in lieu thereof the following: "The People of the State of California, represented in Senate and Assembly, do enact as follows."

Also: On page 8, line 18 of Section 15, after the word "appurtenances," insert "but no purchase of any water or water rights, or canals or reservoirs, or reservoir sites, or irrigation works, or other real property of any nature or kind, for any price in excess of ten thousand dollars, shall be final or binding on the district, nor shall the purchase price thereof be paid, until a petition of a majority of the holders of title or evidence of title to lands within the district, such holders of title or evidence of title representing a majority in value of said land, according to the last equalized assessment roll of the district, shall have been filed with the board and an order of the board made thereon confirming such purchase."

Also: Amend by striking out of Section 25 the words "filling vacancies," between lines 14 and 15

Also: Amend by striking out of Section 31, lines 12, 13, 14, and 15, the words "is to say, the several enumerated percentages of bonds—not per cent of each bond—each bond being wholly payable at a given time, and not a per cent thereof," and inserting the following: "the several enumerated percentages being of the entire amount of the bond issue, but each bond must be made payable at a given time for its entire amount, and not for a percentage."

Also: On page 19, line 6 of Section 39, strike out the words "said board shall, unless otherwise provided"; also, strike out on page 20, same section, all of lines 7, 8, and 9, and line 10 down to and including the words "of such district."

Also: On page 22, Section 42, strike out all of lines 30 to 41, both inclusive.

Also: Amend by striking out of Section 43, lines 4 and 5, the words "one half of which must go to the district, and the other to the collector, for preparing the list."

Also: Amend by inserting in Section 43, line 16, after the words "or sales," the following: "*and provided further*, that in any district where the validity of any assessment shall be in litigation at the time this Act shall take effect, the sale of any property, whether it be involved in such litigation or not, may be postponed for a time not to exceed four months."

Also: Amend by striking out of Section 43, line 14, the word "injunction" and inserting the following: "legal proceedings"

Also: Amend by striking out of Section 43, line 15, the words "the injunction" and inserting the following: "such proceedings."

Also: Amend by striking out of Section 44, line 9, the words "to the collector."

Also: On page 23, Section 44, strike out from and including the words "*provided, however*," on line 33, to and including line 38 of the same section, on page 24.

Also: Amend by inserting in Section 47, line 11, after the word "delivered," the following: "or when such deed has been made to the district, and the district has not disposed of the same."

Also: Amend by striking out of Section 57, line 6, the words "the other officers named in the" and inserting the following: "all officers named in the"

Also: On page 33, strike out all of Section 68, and change the number of Section 69 to 68, and of 70 to 69, and of 71 to 70, and of 72 to 71, and of 73 to 72, and of 73½ to 73.

Also: Amend by striking out of Section 72, lines 9 and 10, the words "made upon the minutes of the court, and."

Also: Amend by inserting in Section 109, line 4, after the word "nature," the following: "but said districts shall become subject to the provisions of this Act, so far as applicable."

Also: Amend by striking out of Section 110, lines 4 and 5, the words "of like title with this Act," and inserting the following: "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 and other purposes,' approved March 7, 1887, by amending section seventeen thereof."

The question being, "Shall the Assembly concur in the Senate amendments to Assembly Bill No. 730?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs Aldridge, Arnerich, Boone, Breiling, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Cross, Damon, Dibble, Dryden, Elliott, Ennis, Goff, Guy, Harris, Henry, Hill, Houghton, Jones, Keables, Keegan, Landsborough, Lindenberger, Mahoney, Mead, Melick, McClellan, North of Yolo, Power of Placer, Price, Rubell, Shanahan, Soward, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—43.

NOES—None.

Assembly Bill No. 730 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 178—An Act to amend Sections 1204 and 1230 of the Political Code of the State of California, relating to precinct registration and challenging of voters

Assembly Bill No. 890 (Substitute for Assembly Bill No. 732)—An Act to amend 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

Assembly Bill No. 608—An Act appropriating money to pay the expenses of preparing, forwarding, installing, maintaining, taking down, and returning an exhibit of the products of the State of California at the Trans-Mississippi and International Exposition, to be held in Omaha in 1898, and to provide for a commission and its expenses, a secretary of such commission, and the compensation of the secretary thereof.

LEAVITT, Acting Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1897

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 719—An Act appropriating $81 10 to pay the claim of J S. Bransford, for services rendered the State of California as Sheriff of Plumas County

Also: Senate Bill No. 686—An Act making an appropriation to pay the claim of Theodore A. Bell.

Also: Senate Bill No. 157—An Act to appropriate the sum of $300 to pay the claim of A. L. Wood, for the capture of Francisco Torres

Also: Senate Bill No. 563—An Act making an appropriation to pay the deficiency in the appropriation for support of Preston School of Industry, at Ione, California, for the forty-eighth fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GUY, Chairman.

Senate Bills Nos. 719, 686, 157, and 563 placed on file for second reading.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 15, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 13th day of March passed Senate Bill No. 259—An Act to appropriate money for the uses of the State Board of Horticulture.

F J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Mr. Arnerich moved that Senate Bill No. 259 be substituted for Assembly Bill No. 887, and the first named bill made a special order for to-morrow, at twelve o'clock M.

So ordered.

SPECIAL ORDERS.

Senate Bill No. 136—An Act to establish a uniform system of county and township governments.

Passed on file temporarily.

Assembly Bill No. 936—An Act to provide for the levy and collection of an income tax.

Passed on file.

Senate Bill No. 696—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the powers of the Boards of Trustees of certain cities.

Passed on file temporarily.

Senate Bill No. 351—An Act entitled an Act to amend Section 1196 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. Aldridge, Allen, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dibble, Dryden, Elliott, Ennis, Foreman, Godfrey, Goff, Guy, Harris, Hill, Hudson, Jones, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, McClellan, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—50.

NOES—Mr. Keegan—1.

Title read and approved.

Senate Bill No. 696—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the powers of the Boards of Trustees of certain 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. Aldridge, Allen, Arnerich, Belshaw, Boone, Bridgford, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Godfrey, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Landsborough, Leavitt, Lindenberger, Melick, North of Alameda, North of Yolo, Power of Placer, Price, Rubell, Sanford, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—51.

NOES—None.

Title read and approved.

At eleven o'clock A. M., the Speaker called Mr. Leavitt to the chair.

Assembly Bill No. 178—An Act to amend Sections 1204 and 1230 of the Political Code of the State of California, relating to precinct registration and challenging 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. Aldridge, Allen, Arnerich, Belshaw, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Cross, Damon, Dryden, Elliott, Emmons, Foreman, Goff, Guy, Harris, Hill, Houghton, Jones, Keables, Landsborough, Leavitt, Lindenberger, Mahoney,

Mead, Melick, McClellan, North of Alameda, North of Yolo, Power of Placer, Price, Rubell, Sims, Soward, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—43.
NOES—None.

Title read and approved.

Assembly Bill No. 354—An Act entitled an Act to amend Section 1196 of the Political Code, relating to elections.

Read third time.

Mr. Mead moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out all of Section 1 and inserting the following:
SECTION 1. Section eleven hundred and eighty-six of the Political Code is hereby amended so as to read as follows:
Section 1186. Any convention, as hereinafter defined, held for the purpose of making nominations for public office, and also electors, to the number hereinafter specified, may nominate candidates for public office to be filled by election within the State. A convention, within the meaning of this Act, is an organized assemblage of delegates representing a political party which, at the last election before the holding of such convention, polled at least three per cent of the entire vote of the State, county, district, or other political division for which nomination is made; *provided*, that in any county, township, city, or district wherein no general election shall have been held after its organization, a convention of any party polling at least three per cent of the votes cast in the precincts comprising such county, township, city, or district shall have the same power, and its nominations the same effect, as though such county, township, city, or district had been organized before the next preceding general election; *provided further*, that if at any time in this State, or any county, township, district, or other political subdivision thereof, two or more political parties that have each heretofore polled three per cent of the total vote cast at a general election, have nominated or indorsed the same candidates or ticket, the total vote cast therefor shall be divided equally between or among such political parties for the purpose of determining the right of such political parties to hold a convention as herein provided.

So ordered.

Mr. Mead was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1897.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 354—An Act entitled an Act to amend Section 1196 of the Political Code, relating to elections—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.

MEAD, Committee.

Report adopted.

Mr. Mead moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of the title the figures "1196" and inserting in place thereof the figures "1186"

So ordered.

Mr. Mead was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1897.

MR. SPEAKER. Your select committee, to whom was referred Assembly Bill No. 354—An Act entitled an Act to amend Section 1196 of the Political Code, relating to elections—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.

MEAD, Committee.

Report adopted.

Assembly Bill No. 354 ordered to printer, reëngrossment, and third reading.

Senate Bill No. 484—An Act to amend Section 1239 of the Political Code, relating to rules for determining question of residence.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Allen, Belshaw, Burnett, Caminetti, Chynoweth, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, North of Alameda, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Shanahan, Soward, Strain, Treacy, Valentine, Vosburg, Waymire, and Wright—43.

NOES—None.

Title read and approved.

Assembly Bill No. 973—An Act to amend Section 1094 of the Political Code.

The following committee amendment was submitted:

Amend printed bill as follows: Section 1, line 31, by adding after the word "registration" the following: "Such notice of change of residence must be filed not later than fifteen days prior to such election."

Adopted.

Assembly Bill No. 973 ordered to printer, reengrossment, and third reading.

Assembly Bill No. 285—An Act for the employment of the homeless and the unemployed, and for the punishment of vagrants.

Passed on file temporarily.

Assembly Constitutional Amendment No. 9—Proposed amendment to Section 7 of Article I of the Constitution, relative to juries.

The following amendments were submitted:

By Mr. Landsborough:

Amend Section 7, lines 2 and 3, by striking out the words "amounting to a felony."

Adopted.

By Mr. Bridgford:

Amend by inserting the following as a substitute for all after the enacting clause:

The right of trial by jury shall be secured to all and remain inviolate; but in civil actions three fourths, and in criminal actions five sixths, of the jury may render a verdict; *provided*, that in a criminal case, where the punishment from conviction would be death, the verdict must be unanimous. A trial by jury may be waived in all criminal cases, not amounting to felony, by the consent of both parties, expressed in open court, and in civil cases by the consent of the parties, signified in such manner as may be prescribed by law.

In all cases, civil or criminal, where a trial by jury is had, the jury may consist of twelve, or any number less than twelve upon which the parties may agree in open court. When a jury has been impaneled and sworn in any civil action or criminal case, if a juror or jurors shall from any cause become unable to attend, the trial shall nevertheless be proceeded with to a termination if five sixths of the original number remain in the jury-box, and (except in criminal cases where the punishment upon conviction may be death, when the verdict must be agreed to by all the jurors still in the box) five sixths of the original number may render a verdict.

Mr. Bridgford moved that the whole matter lie over until to-morrow morning, immediately after reading of the Journal.

So ordered.

Senate Bill No. 574—An Act amending Section 534 of the Political Code, relating to Superintendent of State Printing.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Arnerich, Austin, Belshaw, Bettman, Burnett, Burnham, Caminetti, Canavan, Cartwright, Chynoweth, Clarke, Cross, Damon, Dibble, Dryden, Ennis, Fontana, Goff, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, North of Yolo, Power of Placer, Power

of San Francisco, Price, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—46.

NOES—Messrs. Allen, Boone, Elliott, Foreman, Houghton, Keegan, Melick, McClellan, Rubell, Ryan, Sanford, and Treacy—12.

Title read and approved.

Assembly Bill No. 984—An Act making an appropriation to pay for the expenses incurred by Assembly Concurrent Resolution No. 6, appointing a joint committee of the Senate and Assembly to investigate the affairs of the State Printing Office.

Mr. Price moved that Assembly Bill No. 729 be substituted on the special order file for Assembly Bill No. 984.

So ordered.

Assembly Bill No. 729—An Act to amend Section 3571 of the Political Code, relating to the repayment of purchase price of land sold which is not the property of the State, and providing for a certificate of restitution to issue when the certificate of purchase to such land has been annulled for non-payment of interest.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Allen, Austin, Belshaw, Bettman, Boone, Burnett, Burnham, Canavan, Chynoweth, Clarke, Cross, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Goff, Guy, Harris, Henry, Hill, Houghton, Jones, Keables, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, Power of Placer, Price, Rubell, Ryan, Sanford, Sims, Soward, Stansell, Strain, Treacy, Valentine, Vosburg, Waymire, and Wright—49.

NOES—None.

Title read and approved.

Assembly Bill No. 979—An Act to appropriate money for the payment of interest on the sum of $79,750, being part of the endowment fund of the University of California, heretofore withheld and used for other State purposes, until the State elects to pay said principal sum of $79,750.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Aldridge, Allen, Austin, Belshaw, Bettman, Boone, Burnett, Burnham, Canavan, Cartwright, Chynoweth, Cross, Dibble, Dryden, Elliott, Ennis, Fontana, Goff, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Kelsey, Landsborough, Leavitt, Malcolm, Mead, Melick, Power of Placer, Price, Rubell, Shanahan, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, and Wright—43.

NOES—None.

Title read and approved.

Mr. Jones moved that the Assembly do now take up Assembly Bill No. 485.

So ordered.

Assembly Bill No. 485 (Substitute for Assembly Bill No. 429)—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco, in relation to the public pound, and the appointment of a poundmaster and deputy poundmasters 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. Aldridge, Allen, Austin, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Goff, Guy,

Harris, Henry, Hill, Houghton, Jones, Keables, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, Power of Placer, Price, Rubell, Ryan, Soward, Stansell, Strain, Valentine, Waymire, and Wright—44.

NOES—Mr. Treacy—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Toland gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 574 was finally passed.

Senate Bill No. 370—An Act to amend Section 3495 of the Political Code, by adding a provision relative to adverse occupations.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Allen, Bridgford, Burnett, Burnham, Canavan, Cartwright, Chynoweth, Clarke, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Foreman, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Keables, Keegan, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, North of Yolo, Power of Placer, Price, Rubell, Shanahan, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, and Wright—48.

NOES—None.

Title read and approved.

Mr. Shanahan moved that the Assembly do now take up Senate Bill No. 507.

So ordered.

Senate Bill No. 507—An Act to authorize the State Board of Harbor Commissioners to establish and maintain a free public market upon the waterfront of San Francisco, and providing for the expenses and regulations thereof.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to make the following amendment:

Strike out all of Section 3, commencing with the word "appropriate," on line 6, and ending with the word "purposes," on line 12, and insert in lieu thereof the following: "The Harbor Commissioners shall construct car tracks to connect the docks and piers so set apart for the free public market with the belt railroad."

So ordered.

Mr. Shanahan was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 507—An Act to authorize the State Board of Harbor Commissioners to establish and maintain a free public market upon the waterfront of San Francisco, and providing for the expenses and regulations thereof—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

SHANAHAN, Committee.

Report adopted.

Senate Bill No. 507 ordered to printer.

Mr. Wright moved that the hour of recess be extended ten minutes.

So ordered.

RESOLUTION.

By Mr. Wright:

Resolved, That Senate Bill No. 389 (25 on special urgency file), Senate Bill No. 48 (318 on file), Assembly Bill No. 94 (144 on file), Assembly Bill No. 369 (145 on file), Assembly Bill No. 371 (146 on file), Assembly Bill No. 527 (215 on file), Senate Bill No. 692 (289 on file), Senate Bill No. 340 (365 on file), Senate Bill No 87 (300 on file), Senate Bill No. 119 (305 on file), Senate Bill No. 521 (306 on file), Senate Bill No. 398 (307 on file), Senate Bill No. 549 (313 on file). Substitute for Senate Bills Nos. 357, 358, 361 (329 on file), Senate Bill

No 359 (364 on file), Senate Bill No. 419 (10 on special urgency file), Senate Bill No. 56 (19 on special urgency file), Senate Bill No. 321 (23 on special urgency file), Substitute for Senate Bills Nos. 341, 342, 343 (298 on file), Senate Bill No. 89 (299 on file), Senate Bill No. 291 (347 on file), and each of them, present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills and each of them be read the second and third times, and placed upon their passage.

Mr. Valentine moved that the resolution offered by Mr. Wright be printed in the Journal and made a special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

RECESS.

At twelve o'clock and forty minutes P. M., on motion of Mr. Clarke, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock and ten minutes P. M.

Speaker Coombs in the chair.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 670—An Act appropriating $10,000 to pay the claim of Addie McGinnes.

Also: Senate Bill No. 271—An Act to appropriate the sum of $295 85 to pay the claim of the Tribune Printing Company against the State.

Also: Senate Bill No. 386—An Act to pay the claim of Paris Kilburn, J. B Fuller, and H. W. Magee, Bank Commissioners of the State of California, and making an appropriation therefor.

Also: Senate Bill No. 205—An Act making an appropriation to pay for advertising the constitutional amendments of 1894.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GUY, Chairman.

Senate Bills Nos. 670, 271, 386, and 205 placed on file for second reading.

COMMUNICATION.

BERKELEY, CAL., March 11, 1897.

To S. J. DUCKWORTH, *Chief Clerk of the Assembly, Sacramento, California:*

DEAR SIR: I have the honor to inclose herewith a certified copy of the action of the Board of Regents of the University of California, had at their meeting held March 9, 1897.

Respectfully,

W. A. McKOWEN,
Assistant Secretary of the Board of Regents.

I, W. A. McKowen, Assistant Secretary of the Board of Regents of the University of California, hereby certify that the following resolution was unanimously adopted at a meeting of the Board of Regents held March 9, 1897:

Resolved, That the thanks of the Board of Regents be extended to the Legislature for the patient hearing given to those who represented the interests and wants of the University, and for the attention to and the appreciation of such wants shown by the Legislature, and that such disposition on the part of this board should be communicated to the Legislature before its adjournment.

Given under my hand and the seal of the University of California, at Berkeley, this 11th day of March, 1897.

W. A. McKOWEN,
Assistant Secretary of the Board of Regents

Ordered printed in the Journal.

SENATE SPECIAL FILE.

Senate Bill No. 344—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum $100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Mr. Valentine moved that Senate Bill No. 668 be substituted on the file for Senate Bill No. 344.

So ordered.

Senate Bill No. 668—An Act to amend Section 599 of the Civil Code, relating to what may be provided for in their by-laws, ordinances, constitutions, or articles of incorporation by corporations for purposes other than profit.

Read second time, and ordered on file for third reading.

Senate Bill No. 345—An Act transferring the sum of $80,000 from the General Fund to the Estates of Deceased Persons Fund.

Mr. Guy moved that he be allowed to withdraw Senate Bill No. 345, at the request of Senator Voorheis, and Senate Bill No. 285 be substituted for Senate Bill No. 345 on the file.

So ordered.

Substitute for Senate Bills Nos. 341, 342, 343, and 564—An Act to provide for certain improvements at the Preston School of Industry, Ione, and to make an appropriation therefor.

Passed on file temporarily.

At two o'clock and thirty-five minutes P. M., Speaker Coombs called Mr. North, of Alameda, to the chair.

Senate Bill No. 113—An Act to amend Section 685 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 second time.

The following amendments were submitted:

AMENDMENT NO. 1.

Strike out the word "amend" in the title of the bill, and insert in lieu thereof the word "repeal."

Adopted.

AMENDMENT NO. 2.

Strike out all of Section 1 of the printed bill after the word "hereby," on line 2, and insert the following in lieu thereof: "repealed; *provided*, that any existing judgment may be enforced within five years from the passage of this Act."

Adopted.

Senate Bill No. 113 ordered to printer and third reading.

Mr. Sanford moved to reconsider the vote by which the amendments to Senate Bill No. 113 were adopted.

So ordered.

Mr. Dibble moved that further consideration of Senate Bill No. 113 be indefinitely postponed.

Lost.

Amendments Nos. 1 and 2 were reconsidered, and lost.

Senate Bill No. 113 ordered on file for third reading.

At two o'clock and fifty minutes P. M., Speaker Coombs resumed the chair.

At two o'clock and fifty-one minutes P. M., the Speaker called Mr. Cutter to the chair.

Substitute for Senate Bills Nos. 341, 342, 343, and 564—An Act to provide for certain improvements at the Preston School of Industry, Ione, 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 Aldridge, Austin, Belshaw, Bettman, Boone, Breiling, Burnett, Burnham, Caminetti, Canavan, Cartwright, Clarke, Cutter, Damon, Dennery, Dryden, Elliott, Emmons, Ennis, Fontana, Godfrey, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Keables, Kelsey, Landsborough, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McClellan, North of Yolo, Power of Placer, Rubell, Sanford, Sims, Soward, Strain, Treacy, Valentine, Vosburg, Waymire, and Wright—49.

NOES—Mr. Ryan—1.

Title read and approved.

Mr. Waymire moved to reconsider the vote by which Senate Bill No. 443 was refused passage.

So ordered.

Senate Bill No. 443—An Act to amend Section 758 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Canavan, Clarke, Cross, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Foreman, Godfrey, Guy, Harris, Henry, Houghton, Hudson, Jones, Keables, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, Power of San Francisco, Rubell, Shanahan, Soward, Strain, Toland, Valentine, Vosburg, Waymire, and Wright—49

NOES—Messrs. Boone, Cartwright, Damon, Fontana, Goff, Hill, Lindenberger, North of Yolo, Power of Placer, Ryan, Sanford, and Stansell—12

Title read and approved.

Senate Bill No. 77—An Act authorizing certain corporations to loan and invest money, and regulating the same.

Read third time.

Mr. Mead moved that a select committee of one be appointed by the Speaker to make the following amendments:

In Section 1, line 1 of printed bill, after the word "which," strike out the words "has or."

Also: In Section 1, line 2 of printed bill, after the word "State," insert the words "and the provisions of this Act."

So ordered.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 77—An Act authorizing certain corporations to loan and invest money, and regulating the same—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.

MEAD, Committee.

Report adopted.

Senate Bill No. 77 ordered to printer, third reading, and retain its place on file.

Senate Bill No. 17—An Act to amend Section 1 of 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 the amendment thereto approved February 23, 1893, and fixing the term of office of the Judges thereof.

Passed on file.

Senate Bill No. 372—An Act to amend Sections 1254 and 1257 of the Code of Civil Procedure, relating to 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. Aldridge, Allen, Austin, Bettman, Breiling, Burnham, Canavan, Cross, Damon, Dennery, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Godfrey, Goff, Guy, Harris, Henry, Hill, Hudson, Keables, Keegan, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, Power of San Francisco, Rubell, Ryan, Shanahan, Soward, Stansell, Strain, and Valentine—43.

NOES—Messrs. Boone, Houghton, Leavitt, North of Alameda, North of Yolo, and Power of Placer—6.

Title read and approved.

Senate Bill No. 334—An Act to amend Section 613 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to cemetery corporations.

The question being, "Shall Senate Bill No. 334 be read third time?"

The same was refused third reading.

Mr. Cutter moved to reconsider the vote by which Senate Bill No. 334 was refused third reading.

Motion carried.

Senate Bill No. 334 read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Aldridge, Belshaw, Breiling, Bridgford, Burnham, Clarke, Cross, Cutter, Damon, Elliott, Ennis, Henry, Hudson, Keegan, Power of San Francisco, Rubell, Soward, Strain, Vosburg, and Waymire—20.

NOES—Messrs. Allen, Bettman, Boone, Caminetti, Canavan, Dennery, Dolan, Dryden, Goff, Guy, Harris, Hill, Houghton, Kelly, Kelsey, Lacy, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Price, Ryan, Sims, Toland, and Valentine—31.

NOTICE OF RECONSIDERATION.

Mr. Hill gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 334 was refused final passage.

PETITION.

Mr. North, of Alameda, presented the following telegram, and asked that it be published in the Journal.

So ordered.

SAN FRANCISCO, March 15, 1897.

To Hon. HART NORTH, *member Assembly, Sacramento:*

A petition has been signed by the following merchants, protesting against Senate Bill No. 11 interfering in any way with marine companies:

Buckingham & Hecht; Adam Grant; Payot, Upham & Co.; Union Iron Works; W. P. Fuller & Co; Baker & Hamilton; Hawley Brothers Hardware Company; Dunham, Carrigan & Hayden; W. W. Montague; Jones & Co.; George W. Gibbs Company; Sussman, Wormser & Co.; Wellman, Peck & Co.; Miller, Sloss & Scott; Main & Winchester; Tillman & Bendel; J. C. Johnson & Co.; D. N. and E. Walter & Co.; I. S. Van Winkle; George H. Tyson; Lewis, Anderson & Co.; G W. Josselyn & Co.; Union Lumber Company; S. F Weeks Company; Stockton Milling Company; Schwabacher Bros; Mendocino Lumber Company; A. Schilling & Co.; H. Levi & Co.; Dolbeer & Carson; Hanson & Co.; Simpson Lumber Company; Pacific Coast Steamship Company, Goodall, Perkins & Co., General Agents; Oregon Coal and Navigation Company; Meyer & Ackerman; Renton, Holmes & Co.; George E Plummer & Co; Olson, Ruth & Cook; A. P. Lorenzen; Johnson & Enright; George Fritch; Gualala Mill Company; L. Ford; D. Steffens; J. S. Kimball; Higgins & Comins; E. P. & J. A. Hooper; Preston & McKinnon; McKay & Co.; Charles Nelson; Pacific Lumber Company; Charles P. Doe; Marton Sanders;

Newport Wharf and Lumber Company; E. T. Allen; L. E. White Lumber Company; Gardiner Mill Company

Petition sent by mail to-day.

MACONDRAY & CO.

At three o'clock and five minutes P. M., the Speaker resumed the chair.

RECONSIDERATION.

Mr. Sims moved to reconsider the vote whereby Assembly Bill No. 449 was refused final passage.

So ordered.

Assembly Bill No. 449—An Act to amend an Act entitled "An Act to regulate the practice of dentistry."

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. Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Burnham, Canavan, Cross, Damon, Fontana, Goff, Harris, Houghton, Keables, Leavitt, Mahoney, Malcolm, Melick, North of Yolo, Power of Placer, Ryan, Sims, Stansell, Strain, Vosburg, Waymire, and Mr Speaker—28.

NOES—Messrs. Aldridge, Allen, Bridgford, Camimetti, Cartwright, Clarke, Dibble, Dolan, Elliott, Ennis, Foreman, Guy, Henry, Hill, Hudson, Jones, Kelly, Kelsey, Lacy, Landsborough, Lindenberger, Mead, Mulcrevy, McClellan, McGrath, Power of San Francisco, Price, Rubell, Sanford, Soward, Toland, and Treacy—32.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 15, 1897.

To the honorable the Legislature of the State of California:

GENTLEMEN: On February 25th, by a vote of 29 to 1, Senate Bill No. 494 was passed by the Senate. On March 4th, upon its consideration by the Assembly, it was amended, and on March 8th, by a vote of 45 to 5, it passed that body, as amended. On March 9th, by a vote of 39 to 0, the Senate refused to concur in the Assembly amendments, and on March 11th, by a vote of 47 to 7, the Assembly receded therefrom. The bill was returned from the House to the Senate and ordered to enrollment. On March 12th what purported to be Senate Bill No. 494 was handed to the presiding officers and chief clerks of your two bodies as duly enrolled, and therefore was by them certified to me. The document certified to me, however, was not Senate Bill No 494 as it passed, but contained provisions not contained in the true bill, and had it been approved as certified to me, the result would have been that the bill as passed would have been "killed."

This fact being brought to the attention of the proper officers, a second document, purporting to be the said Senate bill, was transmitted to this office, but not accepted, as it was found not to be the true bill, or the bill as passed. Later, Senate Bill No. 494, as it passed, was properly delivered to this office.

In view of these facts, and of certain communications which I transmit to you, I desire to recommend that your honorable bodies, under a suspension of the rules, pass a bill making it a felony, with the severest penalty, for any person to directly or indirectly write, telegraph, telephone, or in any manner approach one of the officials through whose hands a bill must pass, requesting that official to blockade that bill, or to use his position to kill the same, or to take any part for or against any measure before the Legislature. The Legislature itself, which passes all bills, is the proper body to which appeals should be made, and if appeals are permitted to be made to the clerks of said bodies, or persons who may control or be employed in the printing of bills, that a bill be blockaded or killed by them, methods may be introduced unknown to the laws for the defeating of measures after their passage.

It is now a felony to alter a bill; it should be a felony for any clerk or employé of your honorable bodies to lobby for a bill, or for any person to suggest that they in any manner take part in legislative proceedings, other than in the proper discharge of their duties.

Had the bill in question been delivered later in the session, or the blunder remained undiscovered, even the signature of the Governor would not have made law of the measure which your honorable bodies so almost unanimously passed. The change of a word or a phrase in the printing of a bill may, under our Constitution, blockade and kill it.

On March 3d, Mr. Henry French, of San José, telegraphed to the State Printer as follows

SAN JOSÉ, CAL., March 3, 1897.

To A. J. JOHNSTON (*personal*), *State Printer, Sacramento.*

Blockade Assembly Bill 688 and Senate Bill 494 until my letter reaches you

HENRY FRENCH.

On the same day he sent an identical telegram to Mr. Brandon, Chief Clerk of the Senate Neither of these gentlemen, however, complied with his request or blockaded the bill. Thereafter Mr. Johnston, Superintendent of State Printing, received from Mr. French the following letter:

SAN JOSÉ, CAL., March 5, 1897.

A. J. JOHNSTON, *State Printer, Sacramento, California*·

MY DEAR SIR: I want to write you a line in strict confidence, and ask your assistance in killing Budd's pet bill before the Legislature, Assembly Bill 688 and Senate Bill 494. I am just in receipt of a letter from Varcoe, the Enrolling Clerk of the Assembly, who assures me I can count on your cheerful cooperation. You will probably remember me as one of the war horses that left my business and spent a week in Sacramento, at my own expense, in the last Legislature, to kill No. 526, and did not return home until the flowers withered from the funeral ceremonies.

You will perceive that Assembly Bill 688 and Senate Bill 494 are identical, and the hope is if the one is killed the other will go through.

I know you have sufficient confidence in my integrity and loyalty to the taxpayers of this State to know that if I was not thoroughly confident of their vicious nature that I would be engaged in securing their passage instead of their defeat. I know you are in a position to kill these bills, and I am backed by influential friends of yours in asking you to do so, and if you ever want anything from Santa Clara County, kindly communicate with.

Yours respectfully, (Signed:) HENRY FRENCH.

See Frank Brandon—I think he will do anything he can confidentially.

Mr. Frank Brandon, Chief Clerk of the Senate, received from Mr. French the following letter:

Mr. FRANK BRANDON, *Chief Clerk of the Senate, State Capitol, Sacramento*·

MY DEAR FRIEND: I want to write you in strict confidence, and invoke your assistance in killing Assembly Bill 688 and Senate Bill 494. I have just discovered a rotten scheme that lies behind these bills, and I am thoroughly confident that S. T. Black and the three principals of the three Normal Schools are working in hand, with the Governor's approval. The details I will give you in full the first time we meet. But I know you have sufficient confidence in my integrity to know that these bills, while innocent on the surface, are vicious legislation, and the highest and best interests of the State Normal Schools demand their extermination.

Now, I don't expect you to jeopardize anything by making an open fight, but I know you are in a position to kill them, if you want to.

Count on me as your sincere friend, always.

Very respectfully, (Signed:) HENRY FRENCH.

Confer with State Printer Johnston—can't trust Black.

The letter to Mr. Johnston contained the language "I know you are in a position to kill these bills," and "See Frank Brandon. I think he will do anything he can confidentially," and the letter to Mr. Brandon the words "Now, I don't expect you to jeopardize anything by making an open fight, but I know you are in a position to kill them, if you want to," and the fact appears from his letter to Mr. Johnston that he was in correspondence on the same subject with Mr. John Varcoe, the Enrolling Clerk of the Assembly.

The State Printer was in no manner to blame for the changes in Bill 494 that would have "killed" it, nor was Mr. Brandon. The fact remains, however, that the bill was twice so dealt with after it had properly passed, and that it contained matters therein inserted which would most effectually have killed it, had the error not been discovered.

The danger of the defeat of deserving measures during the closing days of the session would be so very easy by such methods that every safeguard should be thrown around them. The heaviest penalties should be attached to any secret confidential request made of the officers handling them to interest themselves in any manner whatever in their defeat.

JAMES H. BUDD, Governor.

RESOLUTION.

By Mr. Price:

Resolved, That a special committee of three be appointed by the Speaker to fully investigate the matter referred to by the Governor in a message received by this House on this date, in so far as it relates to employés or officers of the Assembly, and if the fault lies with any person or persons under the control of this Assembly, that the party or parties who may be implicated be dealt with as the law may direct.

Adopted.

The Speaker appointed Messrs. Price, Wright, and Bridgford, under the provisions of Mr. Price's resolution, just adopted.

MOTION.

Mr. Belshaw moved that the provision of the Constitution be suspended, and that he be allowed to introduce two bills.

The question being, "Shall the provision of the Constitution be suspended?"

The roll was called, and the suspension of the constitutional provision ordered by the following vote:

AYES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cartwright, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Goff, Guy, Harris, Hill, Hudson, Jones, Keables, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Soward, Strain, Treacy, Vosburg, Waymire, Wright, and Mr. Speaker—55.

NOES—None.

INTRODUCTION OF BILLS.

By Mr. Belshaw: Assembly Bill No. 986—An Act appropriating money to pay the expenses of conducting investigation into charges of bribery in connection with the passage of Assembly Bill No. 273.

Read first time, and placed on file for second reading.

Also: Assembly Bill No. 987—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-second session of the Legislature.

Read first time, and placed on file for second reading.

SPECIAL URGENCY FILE.

Assembly Bill No. 723—An Act to amend Section 541 of the Civil Code, relating to telegraphic corporations.

Mr. Kelly moved that he be allowed to withdraw Assembly Bill No. 723, and substitute Senate Bill No. 493 for the same.

So ordered.

Senate Bill No. 493—An Act to pay the claim of E. N. Strout for services rendered as Reclamation Fund Commissioner from June 1, 1873, to April 1, 1874, amounting to $2,000, and appropriating money to pay the same.

Read second time.

Mr. Kelly moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 493.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 493 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 493—An Act to pay the claim of E. N. Strout for services rendered as Reclamation Fund Commissioner from June 1, 1873, to April 1, 1874, amounting to $2,000, and appropriating money to pay the same—and now report the same back, and recommend that the same do pass.

COOMBS, Chairman.

Report adopted.

Senate Bill No. 493 ordered on special urgency file and to third reading.

Senate Bill No. 119—An Act to appropriate $110,000 for the erection of an administration building for the use and occupancy of the officers, employés, and patients of the Mendocino Asylum; to purchase furniture 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. Aldridge, Allen, Arnerich, Belshaw, Boone, Breiling, Burnett, Burnham, Caminetti, Cartwright, Clarke, Dibble, Dryden, Emmons, Ennis, Fontana, Goff, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Soward. Strain, Treacy, Vosburg, Waymire, Wright, and Mr Speaker—45

NOES—Mr. Melick—1.

Title read and approved.

Assembly Bill No. 922—An Act regulating the importation of diseased cattle into the State of California, providing for the inspection of cattle now in the State, and for the inspection of dairy products, and providing for the appointment of a quarantine officer and inspectors, and the locating of quarantine stations for such purposes.

Passed on file.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 15, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 15th day of March passed Senate Bill No. 347—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirty-first session, California Legislature

Also: Senate Bill No 642—An Act to pay the claim of the County of Santa Clara, and making an appropriation therefor.

Also: Senate Bill No. 643—An Act to pay the claim of the County of Napa, and making an appropriation therefor.

Also: Senate Bill No 644—An Act to pay the claim of the County of Tehama, and making an appropriation therefor.

Also: Senate Bill No. 645—An Act to pay the claim of the County of Monterey, and making an appropriation therefor.

Also: Senate Bill No. 697—An Act making an appropriation to pay the claim of the Southern Pacific Company.

Also: Senate Bill No. 430—An Act for the relief of W. C. Guirey.

Also: Senate Bill No. 315—An Act to pay the claim of W. H. Murray, State Superintendent of Ramie Culture.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 347—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirty-first session, California Legislature.

Read first time, and placed on file for second reading.

Senate Bill No. 642—An Act to pay the claim of the County of Santa Clara, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 643—An Act to pay the claim of the County of Napa, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 644—An Act to pay the claim of the County of Tehama, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 645—An Act to pay the claim of the County of Monterey, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 697—An Act making an appropriation to pay the claim of the Southern Pacific Company.

Read first time, and placed on file for second reading.

Senate Bill No. 430—An Act for the relief of W. C. Guirey.

Read first time, and placed on file for second reading.

Senate Bill No. 315—An Act appropriating money to pay the claim of W. H. Murray, State Superintendent of Ramie Culture.

Read first time, and placed on file for second reading.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 798—An Act to pay the claim of the County of Monterey, and making an appropriation therefor.

Mr. Hudson moved to substitute Senate Bill No. 645 for Assembly Bill No. 798, and that he be allowed to withdraw the latter bill.

So ordered.

Senate Bill No. 645—An Act to pay the claim of the County of Monterey, and making an appropriation therefor.

Read first time, and placed on Senate file for second reading.

Assembly Bill No. 591—An Act to amend Section 3472 of the Political Code of the State of California, relating to the formation of swamp land or reclamation districts.

Mr. Caminetti moved to substitute Assembly Bill No. 590 for Assembly Bill No. 591.

So ordered.

Assembly Bill No. 590—An Act to amend Section 3493 of the Political Code of the State of California, relating to the dissolution of swamp land or 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. Aldridge, Allen, Breiling, Burnett, Caminetti, Canavan, Cartwright, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Guy, Harris, Hill, Houghton, Jones, Keables, Keegan, Landsborough, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McClellan, Power of Placer, Power of San Francisco, Rubell, Ryan, Shanahan, Soward, Strain, Toland, Vosburg, Waymire, Wright, and Mr. Speaker—42.

NOES—Mr. Valentine—1.

Title read and approved.

Assembly Bill No. 318—An Act making an appropriation to pay the claim of John F. Kidder, for traveling expenses, from August 15, 1893, to December 21, 1896, inclusive.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Aldridge, Allen, Belshaw, Breiling, Burnett, Burnham, Caminetti, Canavan, Cartwright Clarke, Cross, Damon, Dibble, Dryden, Elliott, Ennis, Foreman, Gately, Goff, Guy, Harris, Houghton, Jones, Keables, Keegan, Kelly, Kelsey, Landsborough, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McClellan, Power of Placer, Price, Rubell, Ryan, Shanahan, Soward, Stansell, Toland, Waymire, and Wright—44.

NOES—None.

Title read and approved.

Senate Bill No. 542—An Act to provide for the construction of a free wagon road from the Mono Lake basin to connect with a road called "Tioga Road," at or near the Tioga Mine.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Austin, Belshaw, Bettman, Boone, Breiling, Burnett, Burnham, Caminetti, Canavan, Cartwright, Cross, Damon, Dibble, Dryden, Ennis, Fontana, Foreman, Goff, Guy, Henry, Hill, Jones, Keables, Keegan, Kelsey, Landsborough, Leavitt, Mahoney, Melick, Mulcrevy, Power of Placer, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Soward, Strain, Toland, Treacy, Waymire, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Senate Bill No. 100—An Act to amend an Act entitled "An Act to prohibit the sophistication and adulteration of wine, and to prevent the manufacture and sale thereof," approved March 7, 1887, and to provide the penalty 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. Aldridge, Allen, Arnerich, Breiling, Burnett, Caminetti, Canavan, Clarke, Cross, Damon, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Guy, Henry, Hill, Keables, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Melick, Power of Placer, Price, Rubell, Ryan, Sanford, Soward, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

At five o'clock P. M., Mr. Toland was granted unanimous consent to withdraw his notice of reconsideration of Senate Bill No. 574, given this day.

Assembly Bill No. 952—An Act to amend an Act entitled "An Act to create the County of Ventura, to establish the boundaries thereof, and to provide for its organization," approved March 22, 1872, by amending Section 2 thereof, so as to include the whole of the Rancho Conejo within the County of Ventura.

Read third time.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Wright, Ennis, and Cross.

The question being, "Shall the main question be now put?"

The same was ordered.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, Mr. Toland moved a call of the House.

Motion lost.

The Speaker then announced the result of the roll call, and the bill was refused final passage by the following vote:

AYES—Messrs. Aldridge, Belshaw, Boone, Bridgford, Caminetti, Canavan, Cartwright, Dryden, Elliott, Foreman, Gately, Hill, Houghton, Jones, Lindenberger, Mahoney, Mulcrevy, McClellan, Rubell, Sanford, Shanahan, Toland, and Treacy—23

NOES—Messrs. Arnerich, Austin, Burnett, Burnham, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Ennis, Goff, Guy, Henry, Hudson, Keables, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Malcolm, Melick, North of Alameda, Power of Placer, Price, Sims, Soward, Stansell, Valentine, Vosburg, Waymire, and Wright—34.

NOTICE OF RECONSIDERATION.

Mr. Landsborough gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 952 was refused final passage.

RESOLUTIONS.

By Mr. Guy:

Resolved, That the Committee on Rules and Regulations be and it is hereby instructed to immediately report a special urgency file, to contain one bill placed thereon at the request of each member of the House, and that such urgency file be considered daily, immediately after reading of Journal, and before any other business is considered, and continue until the noon recess, beginning Tuesday, March 16, 1897, and pursue the same until all bills on said file have been considered. The file shall be arranged by placing the names of all the members of the House in a hat, and the position on the file determined by drawing therefrom.

Mr. Cutter offered the following as a substitute:

Resolved, That the Senate special file be the order of business from ten o'clock and thirty minutes A M until recess, and from two o'clock P. M. until three o'clock and thirty minutes P M., and that no other business be in order during the hours named, except by unanimous consent.

Adopted.

MOTION.

Mr. Caminetti moved that Senate Bill No. 136 be returned to the printer, with instructions to return it as soon as possible, and that it be taken up as a special order on its return.

So ordered.

RESOLUTION.

By Mr. Malcolm:

Resolved, That Substitute for Senate Bills Nos. 642, 643, and 644 take the place of the following Assembly bills, respectively: Assembly Bill No. 874—30 on claims file, Assembly Bill No. 914—31 on claims file; Assembly Bill No. 644—38 on special urgency file.

Adopted.

Mr. Belshaw gave notice to the Assembly that the services of W. T. Hamilton, as Sergeant-at-Arms to the Committee on Investigation of Examiner charges of bribery, had been dispensed with from this date.

RECESS.

At five o'clock and forty-five minutes P. M., on motion of Mr. North, the Assembly took a recess until eight o'clock P. M.

REASSEMBLED.

The Assembly reassembled at eight o'clock and ten minutes P. M.

Speaker Coombs in the chair.

Quorum present.

REPORTS OF STANDING COMMITTEES.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1897

MR. SPEAKER. Your Committee on Roads and Highways, to whom was referred Senate Bill No. 513—An Act to provide for the construction of a State highway or wagon road from Sacramento City to Folsom, in Sacramento County, and appropriating crushed rock and granite or stone blocks for drains and culverts for same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CLARKE, Chairman.

Senate Bill No. 513 placed on file for second reading.

The House directed that all members who desire to have corrections made in Senate Bill No. 136 be required to hand the same in writing to the Chief Clerk, forthwith, and that thereupon the Chief Clerk cause to be prepared the proper copy of said bill for the printer.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 249—An Act making an appropriation to pay the claim of Dennis Jordan, for balance due for work done on the State Prison at Folsom—and presented the same to the Governor on this day, at ten o'clock and thirty minutes A. M.

Also: Assembly Bill No. 244—An Act making an appropriation to pay the claim of the Examiner, for advertising the constitutional amendments

Also: Assembly Bill No. 382—An Act to repeal Sections 628*a*, 630, 632*b*, and 633, and to amend Sections 628, 635, and 636 of the Penal Code of the State of California, relating to fish.

Also: Assembly Bill No. 554—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Also: Assembly Bill No. 224—An Act making an appropriation to pay the claim of Luke Kavanagh, for reporting and transcribing testimony for the Board of Health.

Also: Assembly Bill No. 233—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments.

And presented the same to the Governor on this day, at twelve o'clock and twenty minutes P. M.

FONTANA, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1897

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 561—An Act to appropriate $4,000 to pay the claim of Francis Williams, for services rendered the State of California as an Irrigation Commissioner.

Assembly Bill No. 798—An Act to pay the claim of the County of Monterey, and making an appropriation therefor.

Assembly Bill No. 938—An Act to provide for the auditing of claims of the Superintendent of State Printing, the purchase of supplies, the examination of accounts and books relating to State printing, and employment of an expert printer by the Board of Examiners, and providing for his compensation.

AUSTIN, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1897

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 555—An Act to amend Section 1241 of the Civil Code, relative to sales of homesteads under execution or by order or decree of court.

Also: Assembly Bill No. 684—An Act to amend Sections 1474, 1475, 1476, and 1486 of the Code of Civil Procedure. and to add a new section, to be known as Section 1479, relating to the administration of the homestead.

Also: Assembly Bill No 686—An Act to amend Section 726 of the Code of Civil Procedure, relating to the application of the proceeds of the sale of mortgaged premises.

Also: Assembly Bill No. 778—An Act to amend an Act entitled "An Act to provide for incorporation, operation, and management of cooperative associations," approved March 27, 1895.

Also: Assembly Bill No. 962—An Act to amend Section 726 of the Code of Civil Procedure, relating to actions for the foreclosure of mortgages.

Have had the same under consideration, and respectfully report the same back without recommendation.

WAYMIRE, Chairman.

SPECIAL ORDERS.

Assembly Bill No. 5—An Act for the relief of 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. Aldridge, Austin, Belshaw, Breiling, Burnett, Burnham, Cammetti, Canavan, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Goff, Guy, Harris, Henry, Hill, Houghton, Jones, Kelsey, Lacy, Leavitt, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, Power of Placer, Rubell, Sanford, Sims, Soward, Toland, Valentine, Vosburg, and Waymire—44.

NOES—None.

Title read and approved.

The Speaker directed the Committee on Claims, Retrenchment, and Public Expenditures to investigate the charges appearing in the San Francisco dailies against members of the Assembly in connection with Assembly Bill No. 410, with a view to ascertaining what action the House should take in the matter.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 408—An Act to pay the claim of Paris Kilburn, J. B. Fuller, and H. W. Magee, Bank Commissioners of the State of California, and making an appropriation therefor.

Mr. Cutter moved that he be allowed to substitute Senate Bill No. 386 for Assembly Bill No. 408, and withdraw the last numbered bill.

So ordered.

Senate Bill No. 386—An Act to pay the claim of Paris Kilburn, J. B. Fuller, and H. W. Magee, Bank Commissioners of the State of California, and making an appropriation therefor.

Placed on file for second reading.

Assembly Bill No. 502—An Act for the relief of W. C. Guirey.

Mr. Waymire moved that Senate Bill No. 430 be substituted for Assembly Bill No. 502.

So ordered.

Assembly Bill No. 912—An Act making an appropriation to pay the claim of the Southern Pacific Company.

Mr. Guy moved that Senate Bill No. 697 be substituted for Assembly Bill No. 912.

So ordered.

Senate Bill No. 697—An Act making an appropriation to pay the claim of the Southern Pacific Company.

Placed on file for second reading.

Assembly Bill No. 317—An Act appropriating the sum of $15,000 for the erection in Golden Gate Park, San Francisco, California, of a monument or statue to the memory of Colonel E. D. Baker, and appointment of a commission to carry into effect the provisions of this Act.

Passed on file.

Assembly Bill No. 159—An Act to pay the claim of William M. Sullivan against the State of California, and making an appropriation therefor.

Mr. Bettman moved to substitute Assembly Bill No. 748 on the file for Assembly Bill No. 159.

So ordered.

Assembly Bill No. 748—An Act to provide for the working, dressing, and carving of stone for public 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. Aldridge, Arnerich, Austin, Bettman, Breiling, Burnett, Canavan, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Emmons, Ennis, Foreman, Gately, Goff, Guy, Harris, Henry, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McClellan, McGrath, Power of San Francisco, Ryan, Sanford, Shanahan, Sims, Soward, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—48.

NOES—Messrs. Belshaw, Boone, Elliott, Houghton, Rubell, and Stansell—6.

Title read and approved.

At eight o'clock and forty-five minutes P. M., the Speaker called Mr. Clarke to the chair.

Senate Bill No. 303—An Act making an appropriation to pay the sum fixed, awarded, and allowed by the State Board of Examiners, as fees for services to date, of the additional counsel employed to assist the Attorney-General in the defense of the suit brought in the United States Circuit Court for the Northern District of California, by the Southern Pacific Company against the Board of Railroad Commissioners of the State of California.

Read second time.

Mr. Guy moved that the House do now resolve itself into Committee of the Whole, with Mr. Clarke in the chair, for the purpose of considering Senate Bill No. 303.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Clarke in the chair.

Senate Bill No. 303 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Clarke in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 303—An Act making an appropriation to pay the sum fixed, awarded, and allowed by the State Board of Examiners, as fees for services to date, of the additional counsel employed to assist the Attorney-General in the defense of the suit brought in the United States Circuit Court for the Northern District of California, by the Southern Pacific Company against the Board of Railroad Commissioners of the State of California—and now report the same back, and recommend that the same do pass.

CLARKE, Chairman.

Adopted.

Assembly Bill No. 241—An Act making an appropriation to pay the expenses incurred for the funeral of the late State Librarian, W. D. Perkins.

Read third time.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Jones, Arnerich, and Power of Placer.

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. Aldridge, Austin, Belshaw, Breiling, Burnett, Burnham, Canavan, Clarke, Cross, Cutter, Dennery, Dibble, Dolan, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Goff, Guy, Harris, Henry, Houghton, Jones, Keables, Keegan, Kelly, Lacy, Mahoney, Mead, Mulcrevy, McClellan, McGrath, Power of Placer, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Toland, Treacy, Waymire, and Mr. Speaker—47.

NOES—Messrs. Arnerich, Kelsey, Lindenberger, Malcolm, Melick, North of Alameda, and North of Yolo—7.

Title read and approved.

PETITION.

SAN FRANCISCO, CAL., March 15, 1897.

To Hon. FRANK L COOMBS, *Speaker of the Assembly, Sacramento, Cal.*

The Board of Supervisors of the City and County of San Francisco, at a meeting held this day, passed unanimously the following resolution, to which your attention is

respectfully called, with the request that you cause the same to be read to the respective bodies over which you preside, to wit:

WHEREAS, Assembly Bills Nos 902, 903, 904, and 905, creating a State Department of Highways, provide for a State tax, about one third of which is paid by the City and County of San Francisco, and at the same time expressly excludes the City and County of San Francisco from the benefits of the Act; and

WHEREAS, The streets and roads of this city and county will and do require all the money which can be reasonably raised by taxation; therefore, be it

Resolved, That the San Francisco Delegation in the Legislature be requested to oppose the adoption of these bills unless the City and County of San Francisco receive direct benefits proportionate to the amount of her contribution to the fund.

JOHN A. RUSSELL, Clerk.

Ordered printed in the Journal.

NOTICE OF RECONSIDERATION.

Mr. Dennery gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 241 was finally passed.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 232—An Act making an appropriation to pay for advertising the constitutional amendments for 1894.

Mr. Guy moved that Senate Bill No. 205 be substituted for Assembly Bill No. 232 on the file.

So ordered.

Senate Bill No. 205—An Act making an appropriation to pay for advertising the constitutional amendments for 1894.

Placed on file for second reading.

Assembly Bill No. 161—An Act to pay the claim of William H. Donnelly against the State of California, and making an appropriation therefor.

Read third time.

The roll was called, and pending the announcement of the result, Mr. Bettman moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Arnerich, Austin, Belshaw, Bettman, Boone, Burnett, Burnham, Canavan, Clarke, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Guy, Henry, Hudson, Keables, Keegan, Kelsey, Lacy, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McClellan, McGrath, Power of Placer, Power of San Francisco, Rubell, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Treacy, Valentine, Vosburg, and Waymire.

Mr. Bettman moved that further proceedings under call of the House be dispensed with.

So ordered.

The Speaker then announced the result of the roll call, and the bill was refused passage by the following vote:

AYES—Messrs. Arnerich, Austin, Bettman, Burnett, Canavan, Damon, Dibble, Dolan, Emmons, Ennis, Fontana, Gately, Godfrey, Goff, Guy, Henry, Keegan, Kelsey, Lacy, Lindenberger, Mahoney, Malcolm, Mulcrevy, McGrath, Power of Placer, Power of San Francisco, Ryan, Sanford, Sims, Soward, Vosburg, and Waymire—32.

NOES—Messrs. Aldridge, Belshaw, Boone, Burnham, Clarke, Dennery, Dryden, Houghton, Hudson, Keables, Melick, McClellan, Rubell, Treacy, and Valentine—15.

At nine o'clock and forty-five minutes P. M., Speaker Coombs resumed the chair.

Assembly Bill No. 118—An Act making an appropriation to pay the claim of the Evening Express Company of Los Angeles, California.

Mr. Melick moved that he be allowed to substitute Assembly Bill No. 654 on the file for Assembly Bill No. 118.

So ordered.

Assembly Bill No. 654—An Act to add a new title to Part IV of an Act entitled an Act to establish a Political Code, approved March 12, 1872, to be known as Title V, regulating publications by State officers and commissioners, Common Councils, Boards of Trustees, or Supervisors in counties, cities, cities and counties, or towns.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, Mr. Melick moved a call of the House.

Lost.

The Speaker then announced the result of the roll call, and the bill was refused passage by the following vote:

AYES—Messrs. Aldridge, Arnerich, Austin, Burnett, Clarke, Damon, Dibble, Emmons, Goff, Hill, Houghton, Hudson, Keables, Kelsey, Lindenberger, Malcolm, McClellan, Rubell, Ryan, Shanahan, Soward, Vosburg, and Waymire—23.

NOES—Messrs. Belshaw, Boone, Burnham, Canavan, Dryden, Elliott, Ennis, Gately, Godfrey, Henry, Keegan, Lacy, Leavitt, Melick, Mulcrevy, Power of Placer, Sanford, Sims, and Treacy—19.

NOTICE OF RECONSIDERATION.

Mr. Melick gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 654 was refused passage.

Assembly Bill No. 317—An Act appropriating the sum of $15,000 for the erection of a statue to the memory of Colonel E. D. Baker, and appointment of a commissioner to carry into effect the provisions of this Act.

Read third time.

Mr. Waymire moved that a select committee of one be appointed by the Speaker to make the following amendments:

Amend by striking out of Section 2 all of line 1 after the word "that"; all of lines 2 and 3, and all of line 4 to and including the word "appointed," and inserting the following: "the Governor is hereby authorized to appoint three."

Also: Amend by striking out "The Legislature of the State of California does hereby enact as follows" and inserting the following: "The people of the State of California, represented in Senate and Assembly, do enact as follows."

So ordered.

Mr. Waymire was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1897.

MR SPEAKER: Your select committee, to whom was referred Assembly Bill No. 317—An Act appropriating the sum of $15,000 for the erection in Golden Gate Park, San Francisco, of a monument or statue to the memory of Col. E. D. Baker, and appointment of a commission to carry into effect the provisions of this Act—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.

WAYMIRE, Committee

Report adopted.

Assembly Bill No. 317 ordered to printer, and to retain its place on file.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1897.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 425—An Act to amend Section 671 of the Code of Civil Procedure of the State of Cali-

fornia, relating to judgment liens—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

WAYMIRE, Chairman.

Senate Bill No. 425 placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1897

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bills Nos. 301, 333, 397, 428, 481, 530, 599, 630, 658, 676, 678, 689, 690, 701, 702, 704, 708, 749, 752, 753, 754, 755, 758, 759, 772, 782, 788, 800, 871, 881, 899, 919, 920, 929, 940, 941, 944, 963, and 965—have had the same under consideration, and respectfully report that it will take no further action concerning the above bills, unless especially ordered by the Assembly as to any particular bill. The reason the committee so report is that to report the bills back and have them placed upon the file would entail a considerable expense for printing, which, in view of the close of the session now so near at hand, seems to the committee to be unnecessary.

Also: Senate Bill No 293—An Act to repeal an Act entitled "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,'" approved March 28, 1895—have had the same under consideration, and respectfully report that the same was referred to a sub-committee, whose report thereon has been adopted by your Judiciary Committee, and is annexed hereto.

SUB-COMMITTEE REPORT.

MR. CHAIRMAN: Your sub-committee, to which was referred S. B. 293, repealing the Act creating the Code Commission, respectfully report that at the time this commission was created great necessity existed for it, and without making any comment upon the gentlemen at present holding office under this Act, we will say that work has been accomplished by this commission which, if enacted into law, would have been of great value to the State. Many reforms were proposed which would have simplified our procedure and resulted in great economy. The work upon the Penal Code is very full and practically complete. The amendments proposed to the laws governing new trials and appeals would have been most desirable The school laws, the military laws, the road laws, the election laws, and the laws relating to the State Printer, and the laws governing the foreclosure of titles to State lands, constitute a considerable work, and one which would have been of great value to the State, if adopted.

The work of the commission is incomplete, and now while the work is in progress it should be finished, or the money already spent would be lost. Much valuable data is now in the possession of the committee, which was collected at great expense, and would be lost by discontinuing the body at this time. This valuable data can be utilized now by such commissioners as may be chosen to succeed the present body, whose terms will very shortly expire

In view of the unfinished condition of the work, and of the present pressing necessity for its performance, we deem it unwise to repeal this law. We deem it in the interests of economy and good government that you report the bill back to the Assembly with the recommendation that it do not pass

MEAD.
SIMS.
SHANAHAN.

WAYMIRE, Chairman.

Senate Bill No. 293—An Act to repeal an Act entitled "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,'" approved March 28, 1895.

The question being, "Shall the bill be read second time?"

The ayes and noes were demanded by Messrs. Shanahan, Emmons, and Houghton.

Mr. Dennery moved that Senate Bill No. 293 be made a special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

ADJOURNMENT.

At ten o'clock and five minutes P. M., on motion of Mr. Dennery, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 16, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

The roll was called, and the following members answered to their names:

Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Saturday, March 13th, was approved as corrected.

RESOLUTION—(CASES OF URGENCY).

By Mr. Belshaw:

Resolved, That Assembly Bills Nos. 986 and 987, and each of them, present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills, and each of them, be read the second and third times, and placed upon their passage.

The question being on the adoption of the resolution offered by Mr. Belshaw to suspend the constitutional provision.

The roll was called, and the resolution suspending the constitutional provision adopted by the following vote:

AYES—Messrs. Allen, Austin, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Guy, Harris, Hill, Houghton, Hudson, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Yolo, Power of Placer, Price, Rubell, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—56.

NOES—None

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1897.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 775—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 disorganization of irrigation districts, the discharge of their indebtedness, and the distribution of their property,

in accordance with agreements between the creditors of the districts and property owners therein.

Assembly Bill No. 771—An Act to authorize municipalities to accept donations of and to set apart portions of public streets or parks for statues, monuments, and fountains

Assembly Bill No. 626—An Act legally defining what a miner's inch of water shall consist of.

Assembly Bill No 984—An Act making an appropriation to pay for the expenses incurred by Assembly Concurrent Resolution No 6, appointing a joint committee of the Senate and Assembly to investigate the affairs of the State Printing Office.

Reëngrossed Assembly Bill No. 285—An Act for the employment of the homeless and the unemployed, and for the punishment of vagrants.

AUSTIN, Chairman.

MOTION.

Mr. Price moved that the rules be suspended, and that the Assembly do now take up Assembly Bill No. 984.

So ordered.

Assembly Bill No. 984—An Act making an appropriation to pay for the expenses incurred by Assembly Concurrent Resolution No. 6, appointing a joint committee of the Senate and Assembly to investigate the affairs of the State Printing 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. Aldridge, Allen, Austin, Belshaw, Bettman, Boone, Burnett, Burnham, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Gately, Guy, Hill, Houghton, Hudson, Keables, Kelly, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, North of Yolo, Power of Placer, Price, Rubell, Sanford, Shanahan, Soward, Toland, Treacy, Valentine, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

REPORT OF SELECT COMMITTEE.

MAJORITY REPORT.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 936—An Act to provide for the levy and collection of an income tax—have the honor to report that they have had the said measure under investigation, and now return the same to the House, with the recommendation that no action be taken on the said bill during the present session.

In making this recommendation we are not influenced by opposition to the principles involved in the bill, but by the circumstance that the bill has been brought into the House at so late a day in the session as to preclude the possibility of that careful consideration which so important a measure demands.

While it is undoubtedly correct, as contended by the author of the bill, that the Constitution authorizes the levy of an income tax upon corporations and individuals, or upon either of said classes, still it should be remembered that no attempt has heretofore been made in this State to adopt that method of taxation.

All experience in such fiscal legislation goes to show the necessity of using the utmost care in framing such laws, in order that there may be no injustice in imposing the tax, and in order to reach all persons affected. In the very nature of things, this cannot be done in the rush of the last hours of a legislative session of sixty days.

The existing system of taxation in California is already complicated beyond expression. It is characterized by vicious inequalities and by incomparable absurdities. To emphasize these assertions it is only necessary to point to the fact that no less than twenty-seven constitutional amendments have been proposed during the session in respect to revenue and taxation, not to speak of scores of bills that will die upon the files or in committees.

What is needed, in the opinion of your committee, is a careful investigation and thorough consideration of the subject. To that end your select committee submit the following resolution:

Resolved, That Assembly Bill No. 936—An Act to provide for the levy and collection of an income tax—be recommitted to the select committee heretofore appointed, and that said committee be authorized and empowered to further consider said bill, and incidentally to inquire into the methods of taxation in vogue in other States and in other countries, and into the effect of such systems of taxation upon industrial conditions.

Said committee shall report their conclusions to the Governor, who shall lay the same before the Legislature at the next session. The work of said committee shall be at no expense to the State, except that said report may be printed by the State Printer, if so ordered by the Governor.

CUTTER
DIBBLE.

MINORITY REPORT.

MR. SPEAKER: The minority of your select committee, to whom was referred Assembly Bill No 936—An Act to provide for the levy and collection of an income tax—dissents from the majority report, and recommends that said bill be placed on its final passage.

The principle of the bill being admitted as good by the majority of your committee, the only question left is the details of the measure

The only objection which has been raised to the details of the bill has come, not from your honorable body, but from a newspaper, which says that while the bill reads to tax gains, profits, and incomes. and the intention of the bill is to tax net incomes, still it might be made to read with more certainty in that respect. By adding the provisions of the Virginia statute, which provide for the deduction of costs of operations, repairs, and interest on indebtedness from the gross income, this remote objection would be obviated

No further time is needed to consider this matter. For eighteen years we have been expressly authorized under the Constitution (see Section 2, Article XIII of the Constitution) by legislative enactment to provide for the assessment and collection of income taxes from persons, corporations, and joint-stock associations or companies resident in or doing business in this State, or any one or more of them, in such cases and amounts and in such manner as shall be prescribed by law.

From the foregoing it will be seen that all necessary power is conferred on the Legislature to impose such a tax The only questions left are the need and method.

The need is shown when we face the requirement of raising twelve million dollars for the support of the State government for the ensuing two fiscal years. Under the existing system nearly all of this will come from persons who have no net income whatever, and who are in hard stress under present conditions to pay operating expenses, costs of repairs, interest, and the bare cost of living. Any remedy which will require wealth to pay its just proportion to the support of the government of the State will be acceptable to the people, anything that will alleviate the burden of taxation will be hailed as a step in the right direction.

While the bill under consideration would bring one and one half million dollars, at least, of revenue to the State from corporations, etc, who hardly feel taxation under present methods, it is so light a tax for State purposes as to be considered only a step in placing the burden of taxation where it should rest—that is, on those who are able to pay. It will be remembered that the Wilson bill (declared unconstitutional by the Supreme Court of the United States, in violation of the precedents of one hundred years) imposed a federal tax of two per centum on all incomes over four thousand dollars per year. One possible advantage has resulted from that decision, which is, that a tax which James G. Blaine held, in his "Twenty Years in Congress," to be a proper and efficient tax, has been expressly relegated to the several States of the Union.

No committee or commission is needed to further consider this question. What the people need is relief—not two years from now, but now. We have the embodiment of the work of the Massachusetts commission and commissions of other States as consummated in legislation of those States We have the advantage of perfected work upon a simple question to make our beginning

As an illustration of the simplicity of the tax proposed under the bill (No 936), the minority of your committee calls attention to the fact that the bill provides that a net income shall be taxed as personal property, in line with the Massachusetts statute, which taxes incomes as it would any form of personal property

Finally, the minority calls attention to the thoughtful message of Governor Budd, asking this Legislature to impose such a tax for the relief of the people, and calling attention to the fact that property of corporations is often of that intangible nature that it cannot be reached except by means of an income tax. This suggestion should be heeded and followed rather than the present system, which operates in practice by "taking from him who hath not, and giving to him who hath."

Respectfully submitted.

SHANAHAN.

MOTIONS.

Mr. Cutter moved that the majority and minority reports be printed in the Journal, and made a special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

Mr. Leavitt moved that the Speaker be instructed to rule out of order all motions for special order.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 986—An Act appropriating money to pay the expenses of conducting investigation into the charges of bribery in connection with the passage of Assembly Bill No. 273.

Read second time.

Assembly Bill No. 987—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-second session of the Legislature.

Read second time.

Mr. Belshaw 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. 986 and 987.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bills Nos. 986 and 987 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 986—An Act appropriating money to pay the expenses of conducting investigation into the charges of bribery in connection with the passage of Assembly Bill No. 273.

Also: Assembly Bill No. 987—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-second session of the Legislature.

And now report the same back, and recommend that the same do pass.

COOMBS, Chairman.

Report adopted.

SPECIAL ORDERS.

Assembly Bill No. 354—An Act entitled an Act to amend Section 1196 of the Political Code, relating to elections.

Passed on file temporarily.

Assembly Bill No. 973—An Act to amend Section 1094 of the Political Code.

Passed on file.

At eleven o'clock A. M., the Speaker called Mr. Ennis to the chair.

Assembly Bill No. 285—An Act for the employment of the homeless and the unemployed, and for the punishment of vagrants.

Read third time.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Mahoney, Leavitt, and Dennery.

The question being, "Shall the main question be now put?"

Lost.

Mr. Leavitt moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 2, line 12, the word "thirty-five" and inserting the following: "one dollar and twenty-five cents."

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Cutter, Dennery, and Henry.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the adoption of the amendment offered by Mr. Leavitt.

The ayes and noes were demanded by Messrs. Leavitt, Kelsey, and Treacy.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Dennery, Gately, Henry, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Mulcrevy, McGrath, Shanahan, and Treacy—12.

NOES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Boone, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Goff, Hill, Houghton, Hudson, Jones, Malcolm, Mead, Melick, McClellan, Pohlmann, Power of Placer, Rubell, Soward, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—43.

At twelve o'clock and twenty minutes P. M., on motion of Mr. Belshaw, the hour of recess was extended fifteen minutes.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Arnerich, Austin, Belshaw, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cross, Damon, Elliott, Emmons, Fontana, Foreman, Goff, Harris, Hill, Houghton, Hudson, Jones, Keables, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, McClellan, Power of Placer, Price, Rubell, Sanford, Soward, Strain, Toland, Valentine, Vosburg, and Waymire—42.

NOES—Messrs. Allen, Bettman, Canavan, Cutter, Dennery, Dibble, Dolan, Dryden, Ennis, Gately, Henry, Keegan, Kelly, Kelsey, Lacy, Mahoney, Mulcrevy, McGrath, Pohlmann, Power of San Francisco, Shanahan, Treacy, Wright, and Mr. Speaker—24.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Leavitt gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 285 was finally passed.

RECESS.

The hour of twelve o'clock and forty-five minutes P. M. having arrived, the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock and ten minutes P. M.

Speaker Coombs in the chair.

Quorum present.

THIRD READING OF BILLS.

Assembly Bill No. 986—An Act appropriating money to pay the expenses of conducting investigation into the charges of bribery in connection with the passage of Assembly Bill No. 273.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bridgford, Burnett, Burnham, Canavan, Clarke, Cross, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Goff, Harris, Henry, Hill, Houghton, Hudson, Keables, Kelsey, Landsborough,

Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Rubell, Ryan, Sanford, Soward, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr Speaker—49
NOES—Messrs. Chynoweth and Treacy—2.

Title read and approved.

Assembly Bill No. 987—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-second 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. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Bridgford, Burnham, Canavan, Clarke, Cross, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Goff, Harris, Hill, Hudson, Keables, Kelsey, Landsborough, Leavitt, Lindenberger, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Power of Placer, Price, Rubell, Ryan, Sanford, Soward, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—49.
NOES—Messrs. Chynoweth and Cutter—2

Title read and approved.

MOTION.

Mr. Wright moved that the constitutional provision be suspended, and that he be allowed to introduce a bill.

The question being, "Shall the constitutional provision be suspended?"

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs Aldridge, Allen, Anderson, Austin, Belshaw, Bettman, Boone, Bridgford, Burnham, Canavan, Chynoweth, Cross, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Goff, Harris, Henry, Hill, Houghton, Hudson, Keables, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, Power of Placer, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Soward, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—55.
NOES—Mr. Cutter—1.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Wright: Assembly Bill No. 988—An Act to prevent improper interference with legislation, and for the better protection of bills introduced in the Senate or Assembly of the State of California from the time of their introduction to the time when they are delivered to the Governor, and providing a penalty for improper practices in relation to such bills.

Read first time, and placed on file for second reading.

RESOLUTION.

By Mr. Power, of San Francisco:

WHEREAS, A committee was appointed for the purpose of investigating into charges made against J. W. Power in the Examiner of March 13th; therefore, be it

Resolved, That said committee be given full power to administer oaths, to subpœna witnesses, and such other powers as may be necessary for a full and complete investigation.

Adopted.

MOTION.

Mr. Mahoney moved that the Committee on Labor and Capital be required to report back Assembly Bill No. 201 immediately.

So ordered.

SPECIAL ORDERS—(RESUMED).

Assembly Constitutional Amendment No. 9—Proposed amendment to Section 7 of Article I of the Constitution, relative to juries.

The following amendment was submitted by Mr. Bridgford:

Amend by inserting the following as a substitute for all after the enacting clause:

The right of trial by jury shall be secured to all, and remain inviolate; but in civil actions three fourths, and in criminal actions five sixths of the jury may render a verdict; *provided*, that in a criminal case, where the punishment from conviction would be death, the verdict must be unanimous. A trial by jury may be waived in all criminal cases not amounting to felony, by the consent of both parties, expressed in open court, and in civil cases by the consent of the parties, signified in such manner as may be prescribed by law.

In all cases, civil or criminal, where a trial by jury is had, the jury may consist of twelve, or any number less than twelve upon which the parties may agree in open court. When a jury has been impaneled and sworn in any civil action or criminal case, if a juror or jurors shall from any cause become unable to attend, the trial shall nevertheless be proceeded with to a termination if five sixths of the original number remain in the jury-box, and (except in criminal cases where the punishment upon conviction may be death, when the verdict must be agreed to by all the jurors still in the box) five sixths of the original number may render a verdict.

Adopted.

Assembly Constitutional Amendment No. 9 ordered to printer.

Senate Bill No. 293—An Act to repeal an Act entitled "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,'" approved March 28, 1895.

Read second time, and ordered to third reading.

Senate Bill No. 259—An Act to appropriate money for the uses of the State Board of Horticulture.

Mr. Valentine moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 259.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 259 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 259—An Act to appropriate money for the uses of the State Board of Horticulture—and now report back, and recommend that the same do pass.

COOMBS, Chairman.

Report adopted.

SENATE SPECIAL FILE.

Senate Bill No. 668—An Act to amend Section 599 of the Civil Code, relating to what may be provided for in their by-laws, ordinances, constitutions, or articles of incorporation, by corporations for purposes other than profit.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Damon, Dennery, Dibble, Dolan, Elliott, Emmons, Ennis, Fontana, Foreman, Gately, Goff, Harris, Henry, Hudson, Jones, Keables, Kelsey, Leavitt, Malcolm, Melick, Mulcrevy, North of Alameda, Pohlmann, Power of Placer, Price, Rubell, Sanford, Soward, Stansell, Strain, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—49.

NOES—Messrs. Houghton, Keegan, Lacy, Landsborough, Mahoney, and McClellan—6.

Title read and approved.

At three o'clock P. M., Speaker Coombs called Mr. Wright to the chair.

Senate Bill No. 113—An Act to amend Section 685 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.

Mr. Valentine moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 2, line 1, all after the figure "2," and inserting the following: "This Act shall not be construed so as to prevent the enforcement of any existing judgment rendered by any court in this State."

Lost.

The question being on the final passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the result of the roll call, Mr. Sanford moved a call of the House.

So ordered.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Anderson, Arnerich, Austin, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Goff, Guy, Harris, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McClellan, McGrath, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker

The following members: Messrs. Belshaw, Clarke, Foreman, Gately, Hill, Mead, Moultrie, McCandlish, North of Alameda, Ryan, and Sims, were absent, and the Speaker issued a warrant for their arrest, and directed the Sergeant-at-Arms to bring the absent members before the bar of the House.

Mr. Leavitt moved that further proceedings under 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. Aldridge, Anderson, Arnerich, Austin, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Cutter, Dennery, Elliott, Emmons, Fontana, Foreman, Guy, Houghton, Jones, Keables, Keegan, Lindenberger, Mahoney, Power of Placer, Rubell, Shanahan, Soward, Stansell, Strain, and Toland—30.

NOES—Messrs. Allen, Bettman, Canavan, Chynoweth, Cross, Damon, Dibble, Dolan, Dryden, Ennis, Goff, Harris, Henry, Hudson, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Yolo, Pohlmann, Power of San Francisco, Price, Sanford, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—36.

NOTICE OF RECONSIDERATION.

Mr. Sanford gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 113 was refused final passage.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 77—An Act authorizing certain corporations to loan and invest money, and regulating 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 Anderson, Arnerich, Austin, Bettman, Breiling, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Emmons, Ennis, Foreman, Goff, Guy, Harris, Henry, Hill, Jones, Keables, Keegan, Kelsey, Leavitt, Lindenberger, Malcolm, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Rubell, Sims, Soward, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—46.

NOES—Messrs. Aldridge, Allen, Boone, Bridgford, Burnett, Dolan, Dryden, Elliott, Houghton, Hudson, Kelly, Lacy, Landsborough, McGrath, Power of San Francisco, Ryan, Stansell, Strain, and Treacy—19.

Title read and approved.

Senate Bill No. 17—An Act to amend Section 1 of 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 the amendment thereto approved February 23, 1893, and fixing the term of office of the Judges thereof.

Passed on file.

Senate Bill No. 141—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Mr. Ennis moved to substitute Senate Bill No. 513 (349 on file) for Senate Bill No. 141 (260 on file), and let Senate Bill No. 141 take the former position of Senate Bill No. 513 on file.

So ordered.

Senate Bill No. 513—An Act to provide for the construction of a State highway or wagon road from Sacramento City to Folsom, in Sacramento County, and appropriating crushed rock and granite or stone blocks for drains and culverts for same.

Read second time, and ordered to third reading.

MOTION.

Mr. Hill moved to reconsider the vote by which Senate Bill No. 334 was refused passage.

Lost.

SPECIAL URGENCY FILE.

Senate Bill No. 645—An Act to pay the claim of the County of Monterey, and making an appropriation therefor.

Read second time.

Mr. Hudson moved that the Assembly resolve itself into Committee of the Whole, with Mr. Wright in the chair, for the purpose of considering Senate Bill No. 645.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Wright in the chair.

Senate Bill No. 645 was considered in Committee of the Whole

IN ASSEMBLY.

Mr. Wright in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: Your Committee of the Whole have had under consideration Senate Bill No. 645—An Act to pay the claim of the County of Monterey, and making an appropriation therefor—and now report the same back, and recommend that the same do pass.

WRIGHT, Chairman.

Report adopted.

Assembly Bill No. 553—An Act to provide for the survey and construction of a wagon road from Tallac to McKinneys, along the shore of Lake Tahoe.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Boone, Breiling, Bridgford, Burnett, Caminetti, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Foreman, Goff, Hill, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Mahoney, Mead, Mulcrevy, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sanford, Soward, Stansell, Strain, Treacy, and Wright—42.

NOES—Messrs. Anderson, Bettman, Chynoweth, Lindenberger, and Valentine—5.

Title read and approved.

Senate Bill No. 419—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, 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. Arnerich, Austin, Bettman, Breiling, Bridgford, Burnett, Burnham, Canavan, Cutter, Damon, Dennery, Dibble, Dolan, Emmons, Ennis, Fontana, Gately, Guy, Harris, Henry, Hill, Jones, Keables, Kelly, Kelsey, Lacy, Landsborough, Mahoney, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Ryan, Shanahan, Sims, Soward, and Stansell—41.

NOES—Messrs Aldridge, Allen, Anderson, Belshaw, Boone, Caminetti, Chynoweth, Cross, Dryden, Elliott, Foreman, Goff, Houghton, Hudson, Keegan, Leavitt, Lindenberger, Mead, Melick, McClellan, Rubell, Sanford, Strain, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—28.

Title read and approved.

MOTION.

Mr. Melick moved to reconsider the vote by which Assembly Bill No 654 was refused passage.

So ordered.

Assembly Bill No. 654—An Act to add a new title to Part IV of an Act entitled an Act to establish a Political Code, approved March 12, 1872, to be known as Title V, regulating publications by State officers and commissioners, Common Councils, Boards of Trustees, or Supervisors in counties, cities, cities and counties, or towns.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Bridgford, Burnett, Burnham, Caminetti, Clarke, Cross, Damon, Dennery, Dibble, Elliott, Emmons, Fontana, Foreman, Goff, Harris, Hill, Hudson, Keables, Kelsey, Landsborough, Lindenberger, Mead, Melick, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Sanford, Shanahan, Soward, Strain, Toland, Valentine, Vosburg, and Waymire—45

NOES—Messrs. Allen, Boone, Breiling, Canavan, Chynoweth, Dolan, Dryden, Ennis, Gately, Guy, Keegan, Kelly, Lacy, Leavitt, Mahoney, Mulcrevy, McGrath, Ryan, Sims, Treacy, Wright, and Mr Speaker—22

Title read and approved.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 928—An Act appropriating money to pay the expenses of collecting, preparing, forwarding, installing and maintaining, taking down and returning an exhibit of the products of the State of California at the Hamburg Horticultural Exposition, to be held at Hamburg, Germany, in 1897, and to provide for a commission, secretary of commission, and the pay of the secretary 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. Anderson, Arnerich, Austin, Belshaw, Boone, Breiling, Burnett, Burnham, Caminetti, Canavan, Cross, Damon, Dennery, Dibble, Dolan, Emmons, Ennis Foreman, Goff, Guy, Harris, Henry, Hudson, Jones, Keables, Kelly, Kelsey, Lacy, Lindenberger, Mahoney, Mead, Melick, McGrath, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Ryan, Soward, Strain, Toland, Valentine, Vosburg, and Waymire—44.

NOES—Messrs. Aldridge, Allen, Chynoweth, Clarke, Dryden, Elliott, Hill, Houghton, Keegan, Leavitt, McClellan, North of Alameda, Price, Rubell, Sanford, Stansell, and Wright—17.

Title read and approved.

Assembly Bill No. 882—An Act to amend Section 718 of the Civil Code, relating to the length of leases of city lots.

Read third time.

Mr. Toland moved to amend by striking out the enacting clause.

So ordered.

MOTION.

Mr. Burnham moved that the Assembly now take up Senate Bill No. 136, and place it on its final passage.

So ordered.

Senate Bill No. 136—An Act to establish a uniform system of county and township governments.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cross, Dibble, Dryden, Elliott, Ennis, Fontana, Gately, Goff, Guy, Houghton, Hudson, Keables, Kelsey, Lacy, Leavitt, Lindenberger, Malcolm, Mead, Melick, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Sanford, Soward, Stansell, Strain, Valentine, Waymire, and Wright—46.

NOES—Mr. Foreman—1.

Title read and approved.

EXPLANATION OF VOTE.

Mr. Foreman offered the following:

MR. SPEAKER: In explanation of my vote on the final passage of Senate Bill No. 136, I desire to state that I voted "no," in compliance with the wishes of my constituents to reduce the large salaries and fees now paid to the county officials in San Joaquin County. I had intended to vote for the bill until the amendments introduced by my colleague, Mr. Austin, and adopted, raised the salaries of the county officials over fifteen thousand dollars above that asked for by my constituents.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 495—An Act to amend Section 622 of the Political Code of the State of California, relating to the retaliatory clause concerning 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. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Burnham, Caminetti, Canavan, Cross, Damon, Dennery, Dibble, Dryden, Elliott, Emmons, Ennis, Foreman, Goff, Harris, Henry, Hudson, Jones, Kelsey, Mahoney, Malcolm, Mead, Melick, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Rubell, Ryan, Sanford, Sims, Soward, Toland, Treacy, Valentine, Waymire, and Wright—45.

NOES—Messrs. Anderson, Burnett, Chynoweth, Clarke, Landsborough, Lindenberger, and Vosburg—7.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Power, of Placer, was granted a leave of absence for the remainder of the day.

MOTIONS.

At five o'clock and fifteen minutes P. M., Mr. Bettman moved that the House do now take a recess.

Lost.

Mr. Mead moved that the Senate be requested to return Senate Bill No. 351, as amended in the Assembly, for further consideration by the Assembly.

So ordered.

Mr. Landsborough moved to reconsider the vote by which Assembly Bill No. 952 was refused passage.

Lost.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 981—An Act for the establishment of a uniform system of road government and administration in the counties of the State of California.

Passed on file, but to retain its place.

Assembly Bill No. 959—An Act to amend Section 35 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to the duties of Superintendent of Streets in municipalities having a population of over fifty thousand inhabitants.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Arnerich, Boone, Bridgford, Burnett, Caminetti, Canavan, Cutter, Damon, Emmons, Ennis, Foreman, Gately, Harris, Henry, Houghton, Jones, Kelly, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, McGrath, North of Alameda, Pohlmann, Power of San Francisco, Rubell, Ryan, Sanford, Sims, Soward, Strain, Treacy, Valentine, Vosburg, Waymire, and Wright—43.

NOES—Messrs. Chynoweth and Godfrey—2.

Title read and approved.

Assembly Bill No. 948—An Act for the relief of John Mullan, 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. Aldridge, Allen, Arnerich, Austin, Belshaw, Bettman, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cross, Cutter, Dennery, Dibble, Dolan, Emmons, Ennis, Fontana, Foreman, Gately, Goff, Harris, Henry, Jones, Keegan, Kelly, Lacy, Landsborough, Mahoney, Melick, Mulcrevy, McGrath, Pohlmann, Power of San Francisco, Price, Ryan, Sims, Soward, Treacy, Valentine, Waymire, and Wright—43.

NOES—Messrs. Anderson, Boone, Chynoweth, Houghton, Leavitt, Lindenberger, North of Alameda, North of Yolo, Rubell, Strain, Vosburg, and Mr Speaker—12.

Title read and approved.

RECESS.

At five o'clock and thirty minutes P. M., the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and forty minutes P. M. Speaker Coombs in the chair.

Quorum present.

RESOLUTION.

By Mr. Soward:

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

Adopted.

MOTION.

Mr. Bridgford moved that the Assembly now take up Assembly Joint Resolution No. 23.

So ordered.

ASSEMBLY JOINT RESOLUTION No 23

Relative to the protection of the farming industry.

WHEREAS, The farming industry of this country has been, is, and must ever be the chief basis of its wealth and prosperity, and

WHEREAS, Its chief products are regulated in price by export and not import; and

WHEREAS, There is now pending before the Congress of the United States a measure which proposes to place an import duty of one and one half cents each upon all jute bags; and

WHEREAS, There are but few factories in this country engaged in manufacturing such articles; and

WHEREAS, Such a law would impose an additional heavy burden upon our chief industry, which is already staggering under a weight of depression; now, therefore, be it

Resolved, That our Representatives in Congress be requested and our Senators instructed to use their best efforts to defeat any law imposing a duty upon jute and jute bags;

Resolved, That the Secretary of State be instructed to transmit by mail a copy of these resolutions to each of our Senators and Representatives in Congress.

Adopted.

RESOLUTIONS.

By Mr. Price:

Resolved, That Stuart McMullen and George A Leon be and they are hereby appointed Assistant Journal Clerks, commencing with February 19, 1897, with duties assigned as follows: To ascertain errors in the Journals in relation to all inaccuracies that pertain to the amending and passage of bills by this Assembly; the per diem payable out of the Contingent Fund of the Assembly. The Controller is directed to draw his warrant for and the Treasurer to pay the same.

Mr. Cross moved that the resolution be referred to Committee on Attachés and Employés.

Lost.

Ordered printed in the Journal, to lie over one day.

By Mr. Caminetti:

WHEREAS, The Controller of State has, without order of the Assembly, stricken from the payroll of this House the name of W. T. Hamilton, Clerk, and J. B. Stanton, Sergeant-at-Arms, of the Minority of this Assembly, therefore, be it

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby instructed to replace the names of W T. Hamilton, Clerk, and J. B. Stanton, Sergeant-at-Arms, of said Minority, upon said payroll, to date from March 6, 1897, and be retained until adjournment *sine die* of this Assembly.

Referred to Committee on Attachés and Employés.

SPECIAL ORDERS.

Senate Bill No. 386 (Substitute for Assembly Bill No. 408)—An Act to pay the claim of Paris Kilburn, J. B. Fuller, and H. W. Magee, Bank Commissioners of the State of California, and making an appropriation therefor.

Read second time.

Senate Bill No. 430—An Act for the relief of W. C. Guirey.

Read second time.

Senate Bill No. 697—An Act making an appropriation to pay the claim of the Southern Pacific Company.

Read second time.

Assembly Bill No. 317—An Act appropriating the sum of $15,000 for the erection in Golden Gate Park, San Francisco, California, of a monument or statue to the memory of Colonel E. D. Baker, and appointment of a commission to carry into effect the provisions of this Act.

Passed on file.

Senate Bill No. 303—An Act making an appropriation to pay the sum fixed, awarded, and allowed by the State Board of Examiners, as fees for services to date, of the additional counsel employed to assist the Attorney-General in defense of the suit brought in the United States Circuit Court for the Northern District of California by the Southern Pacific Company against the Board of Railroad Commissioners of the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called.

Pending the announcement of the result, Mr. Emmons moved a call of the House.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Allen, Anderson, Austin, Breiling, Caminetti, Canavan, Cross, Cutter, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Houghton, Hudson, Jones, Keegan, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Melick, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Price, Shanahan, Sims, Soward, Strain, Toland, Vosburg, Waymire, Wright, and Mr. Speaker.

The Speaker issued a warrant for the arrest of the following members, and directed the Sergeant-at-Arms to bring them before the bar of the House: Messrs. Arnerich, Belshaw, Bettman, Boone, Burnett, Burnham, Chynoweth, Clarke, Damon, Dennery, Fontana, Godfrey, Goff, Guy, Harris, Henry, Hill, Keables, Kelly, Kenyon, Leavitt, Mead, Mulcrevy, McCandlish, Power of San Francisco, Robinson, Rubell, Ryan, Sanford, Stansell, Treacy, and Valentine.

At eight o'clock and thirty minutes P. M., the Speaker called Mr. North, of Alameda, to the chair.

Messrs. Bridgford, Leavitt, and Power of San Francisco were brought before the bar of the House, and excused.

Mr. Caminetti moved that further proceedings under 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. Aldridge, Allen, Austin, Breiling, Bridgford, Caminetti, Canavan, Cross, Cutter, Dibble, Dolan, Dryden, Elliott, Ennis, Gately, Goff, Guy, Jones, Kelly, Lacy, Mahoney, Malcolm, McClellan, McGrath, North of Alameda, Pohlmann, Power of San Francisco, Price, Shanahan, Sims, Soward, Strain, Toland, Waymire, Wright, and Mr. Speaker—36.

NOES—Messrs Anderson, Emmons, Foreman, Houghton, Hudson, Keegan, Kelsey, Landsborough, Leavitt, Lindenberger, Melick, and Vosburg—12.

NOTICES OF RECONSIDERATION.

Mr. Leavitt gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 303 was refused passage.

Mr. Emmons gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 303 was refused passage.

LEAVE OF ABSENCE.

Mr. Burnham was granted a leave of absence for the evening.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 205—An Act making an appropriation to pay for advertising the constitutional amendments for 1894.

Read second time.

At eight o'clock and forty-five minutes P. M., the Speaker resumed the chair.

Assembly Bill No. 901—An Act providing for the relief of John J. Conlin, authorizing and empowering the Board of Supervisors of the City and County of San Francisco to order paid to said Conlin, his assigns or legal representatives, the amount of money which they may find to be due the said Conlin, for work performed and material furnished on the public streets, sidewalks, and sewers of the City and County of San Francisco, as shown by the books kept by the Superintendent of Public Streets and Highways of said city and county, and directing the Auditor of said city and county to audit the demand of said Conlin for said amount as found by said Supervisors, 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 of the bill.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Austin, Breiling, Bridgford, Canavan, Cross, Cutter, Dryden, Elliott, Emmons, Ennis, Foreman, Gately, Goff, Guy, Harris, Jones, Keegan, Kelly, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mulcrevy, McClellan, McGrath, Power of San Francisco, Price, Shanahan, Sims, Soward, Toland, Vosburg, Waymire, and Wright—39.

NOES—Messrs Houghton, Melick, Strain, and Mr. Speaker—4

MOTION.

Mr. Wright moved that the Assembly do now consider bills only on their second reading.

So ordered.

NOTICE OF RECONSIDERATION.

Mr. Emmons gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 901 was refused passage.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 642—An Act to pay the claim of the County of Santa Clara, and making an appropriation therefor.

Read second time.

Senate Bill No. 643—An Act to pay the claim of the County of Napa, and making an appropriation therefor.

Read second time.

Mr. Cutter moved that the House resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 386, 430, 697, 205, 642, and 643.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bills Nos. 386, 430, 697, 205, 642, and 643 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 386—An Act to pay the claim of Paris Kilburn, J. B. Fuller, and H. W. Magee, Bank Commissioners of the State of California, and making an appropriation therefor.

Also: Senate Bill No. 430—An Act for the relief of W. C. Guirey.

Also: Senate Bill No. 697—An Act making an appropriation to pay the claim of the Southern Pacific Company.

Also: Senate Bill No. 205—An Act making an appropriation to pay for advertising the constitutional amendments for 1894.

Also: Senate Bill No. 642—An Act to pay the claim of the County of Santa Clara, and making an appropriation therefor.

Also: Senate Bill No. 643—An Act to pay the claim of the County of Napa, and making an appropriation therefor

And now report the same back, and recommend that the same do pass, except Senate Bill No. 430, which is hereby reported back, with amendments, with a recommendation that it do pass as amended.

COOMBS, Chairman.

Senate Bills Nos. 386, 697, 205, 642, and 643 ordered on file for third reading.

Senate Bill No. 430—An Act for the relief of W. C. Guirey.

The following amendment was submitted:

Amend by striking out of Section 1, line 2, the word "apportioned," and inserting the following: "appropriated."

Adopted.

Senate Bill No. 430 ordered to printer and third reading.

MOTION.

Mr. Belshaw moved to suspend the rules and take up for consideration Senate Concurrent Resolution No. 11.

So ordered.

SENATE CONCURRENT RESOLUTION No. 11.

Resolved by the Senate, the Assembly concurring, That the Secretary of State be authorized to continue the employment of the electrician, engineer, and fireman, for the remainder of the session, at an expense not to exceed one hundred and ninety-two dollars, one half to be charged to the Contingent Fund of the Senate and one half to the Contingent Fund of the Assembly, and the Controller is hereby authorized to draw his warrant therefor, and the Treasurer is authorized and directed to pay the same

Adopted.

SENATE SPECIAL FILE.

Senate Bill No. 393—An Act to amend Sections 1817 and 1818 of the Political Code, relating to public schools.

Read second time.

The following amendment was submitted:

Amend by adding a new section, to read as follows:
SEC. 3. A new section is hereby added to the Political Code, to read as follows:
1874½. No change in school text-books shall be made more than once in four years.

Adopted.

Senate Bill No. 393 ordered to printer and third reading.

Senate Bill No. 473—An Act to amend an Act entitled "An Act to enforce the educational rights of children," approved March 28, 1874, relating to the duties of certain officers in connection therewith, by repealing Section 2 of said Act.

Read second time, and ordered on file for third reading.

Senate Bill No. 48—An Act to provide for additions and improvements to the Deaf, Dumb, and Blind Asylum, and making an appropriation for the same.

Read second time.

Senate Bill No. 491—An Act to amend Sections 3547, 3549, 3553, 3554, and 3555 of the Political Code, and to add a new section thereto, to be known as Section 3557 of the Political Code, relating to State lands and the foreclosure of delinquent purchasers thereof.

Read second time, and ordered on file for third reading.

Senate Bill No. 164—An Act to amend Section 634 of the Political Code, in relation to insurance, approved April, 1878.

Read second time.

The following amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend Section 1, line 3, by inserting the following at beginning of line 1: "Section 634."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend Section 1, line 4, by inserting after the word "State" the following: "with a capital stock of not less than one hundred thousand dollars."

Adopted.

COMMITTEE AMENDMENT No. 3.

Amend Section 1, line 7, by inserting after the word "registration" the following "and the deposit provided for by the provisions of this Act shall be in accordance with the conditions of such mutual agreement. Such registration."

Adopted.

COMMITTEE AMENDMENT No. 4.

Amend by striking out of Section 1, lines 23 and 24, the words "in accordance with the actuary's or combined experience table of mortality," and put the words "computed on a (4%) four per cent interest basis" in parentheses ( ), on line 23.

Adopted.

COMMITTEE AMENDMENT No. 5.

Amend by striking out of Section 1, line 27, all of the words after the word "contracts"; also, strike out all of lines 28 and 29, and all of line 30.

Adopted.

Senate Bill No. 164 ordered to printer and third reading.

Senate Bill No. 591—An Act to provide for the funding and refunding of the indebtedness of levee and protection districts.

Read second time, and ordered on file for third reading.

Senate Bill No. 601—An Act to amend Section 1238 of the Penal Code, relating to appeals by the people.

Read second time, and ordered on file for third reading.

Senate Bill No. 363—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the harbor of San Francisco southward from its present southerly terminus, near the foot of Mission Street, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people.

Read second time, and ordered on file for third reading.

Senate Bill No. 525—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies.

Read second time, and ordered on file for third reading.

Senate Bill No. 502—An Act to amend Section 1413 of the Code of Civil Procedure of the State of California, relating to the appointment of special administrators.

Refused second reading.

Senate Bill No. 469—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1599, 1600, 1615, 1617, 1621, 1622, 1623, 1663, 1697, 1713, 1714, 1830, 1874, 1875, and 1882 of the Political Code of the State of California, and to add one new section to said Code, to be known as Section 1674, relating to the public schools.

Read second time, and ordered on file for third reading.

Substitute for Senate Bills Nos. 357, 358, and 361—An Act to provide for additional buildings for the California Home for the Care and Training of Feeble-Minded Children; to equip the same for occupancy and use; to provide a system of electric lighting therein, and to make an appropriation therefor.

Read second time.

Senate Bill No. 10—An Act providing for the improvement and construction of sidewalks outside 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.

Read second time, and ordered on file for third reading.

Senate Bill No. 399—An Act making an appropriation for the purpose of constructing a reservoir, and laying and maintaining a line of pipe from said reservoir to the Marshall monument, and for other purposes.

Read second time.

Senate Bill No. 445—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto two sections, to be numbered 288 and 289, to punish the crimes of open and notorious cohabitation and adultery.

Read second time, and placed on file for third reading.

Senate Substitute for Senate Bill No. 169—An Act to require street railroads to provide guards for cars and dummies, and to prescribe penalties.

Read second time.

The following amendment was submitted by Mr. Cutter:

Amend by inserting in Section 1, line 7, the words "or when cars or dummies constitute a train, the front car, locomotive, or dummy of such train" after the words "while in use."

Adopted.

Senate Substitute for Senate Bill No. 169 ordered to printer and third reading.

Senate Bill No. 586—An Act to amend Sections 364 and 680 of the Political Code, and to add a new section thereto, to be known as Section 686 of the Political Code, all relating to the State Board of Examiners.

Read second time, and ordered on file for third reading.

Senate Bill No. 131—An Act entitled an Act to amend Section 3785 of the Political Code of the State of California, relating to the revenue and taxes of the State of California, and providing for the taking of tax deeds by the State, and fixing a limitation as to the time within which deeds may be taken by purchasers other than the State of California.

Read second time, and ordered on file for third reading.

Senate Bill No. 193—An Act to amend Section 1618 of the Code of Civil Procedure, relating to estates of deceased persons.

Read second time, and ordered on file for third reading.

Senate Bill No. 561—An Act to amend Section 605 of the Penal Code of the State of California, relating to the removing, defacing, or altering landmarks.

Read second time, and ordered on file for third reading.

Senate Bill No. 365—An Act authorizing a party required to give a bond or undertaking to agree with his sureties for the deposit and withdrawal of any or all moneys or assets for which such sureties are or may be held responsible.

Read second time, and ordered on file for third reading.

Senate Bill No. 428—An Act to add a new section to the Code of Civil Procedure, said section to be designated as Section 1810, relating to the filing of accounts of guardians after their death.

Read second time, and ordered on file for third reading.

Senate Bill No. 255—An Act to amend Section 1255 of the Code of Civil Procedure, relating to costs in condemnation suits.

Read second time, and ordered on file for third reading.

Senate Bill No. 424—An Act to amend Section 437 of an Act entitled "An Act to establish a Code of Civil Procedure," relative to the answer of defendants in civil actions.

Read second time, and ordered on file for third reading.

Senate Bill No. 90—An Act for the relief of district agricultural associations.

The following amendment was submitted by Mr. Austin:

Amend by striking out all of Section 5 and inserting in lieu thereof the following:
SEC. 5. The sum of seventy-five thousand dollars is hereby appropriated out of any

money in the state treasury not otherwise appropriated, for the purpose of carrying out the provisions of this Act.

SEC. 6. This Act shall take effect immediately.

Lost.

Bill refused second reading.

Senate Bill No. 93—An Act to keep open natural channels, not navigable, which run through agricultural land, and are subject to overflow, to the injury of the land, and the duty of the Board of Supervisors in relation thereto.

Passed temporarily.

Senate Bill No. 336—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Read second time, and ordered on file for third reading.

MOTION.

Mr. North moved that consideration of notices of reconsideration be extended until to-morrow.

So ordered.

At nine o'clock and forty-five minutes P. M., the Speaker called Mr. Canavan to the chair.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 291—An Act to provide for reseating the hall in the State Normal School building at San José, and for the building of a gymnasium for the said State Normal School, and to provide an appropriation therefor.

Read second time.

The following amendments were submitted by Mr. Malcolm:

Amend by striking out of Section 1, lines 5 and 6, the words "and the sum of three thousand dollars for the reseating of said hall"

Adopted.

Also: Amend by striking out of Section 1, lines 2 to 4, the words "to purchase the necessary seats for reseating the hall in said normal school, and also."

Adopted.

Senate Bill No. 291 ordered to printer and third reading.

Senate Bill No. 417—An Act to define the duties of and to license land surveyors, amendatory of "An Act to define the duties of and to license land surveyors," approved March 31, 1891.

Read second time.

The following amendment was submitted by Mr. Price:

Amend by striking out of Section 15, last line, the word "immediately" and inserting the following: "on and after January, 1898."

Adopted.

Senate Bill No. 417 ordered to printer and third reading.

Senate Bill No. 427—An Act to amend Section 681 of the Code of Civil Procedure of the State of California, relating to executions.

Read second time.

The following amendment was submitted by Mr. Dibble:

Amend by striking out of Section 2, line 1, all after the figure 2, and inserting the following: "This Act shall not be construed so as to prevent the enforcement of any judgment now existing in any court in this State."

Adopted.

Senate Bill No. 427 ordered to printer and third reading.

Senate Bill No. 161—An Act to amend Section 798 of the Political Code of the State of California, fixing the fees of notaries public.

Passed temporarily on file.

At nine o'clock and fifty minutes P. M., Speaker Coombs resumed the chair.

Senate Bill No. 429—An Act to add a new section to the Code of Civil Procedure, said section to be designated as Section 1681, relating to the filing of accounts of executors and administrators after their death.

Read second time, and ordered to third reading.

Senate Bill No. 719—An Act appropriating $81 10 to pay the claim of J. S. Bransford, for services rendered the State of California as Sheriff of Plumas County.

Read second time.

Senate Bill No. 686—An Act making an appropriation to pay the claim of Theodore A. Bell.

Read second time.

Senate Bill No. 157—An Act to appropriate the sum of $300 to pay the claim of A. L. Wood, for the capture of Francisco Torres.

Read second time.

Senate Bill No. 563—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Preston School of Industry, at Ione, California, for the forty-eighth fiscal year.

Read second time.

Senate Bill No. 670—An Act appropriating $10,000 to pay the claim of Addie McGinnes.

Read second time.

Senate Bill No. 271—An Act to appropriate the sum of $295 85 to pay the claim of Tribune Printing Company against the State.

Read second time.

Senate Bill No. 347—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirty-first session, California Legislature.

Read second time.

Senate Bill No. 315—An Act appropriating money to pay the claim of W. H. Murray, State Superintendent of Ramie Culture.

Read second time.

Senate Bill No. 513—An Act to provide for the construction of a State highway or wagon road from Sacramento City to Folsom, in Sacramento County, and appropriating crushed rock and granite or stone blocks for drains and culverts for same.

Passed on file.

Senate Bill No. 425—An Act to amend Section 671 of the Code of Civil Procedure of the State of California, relating to judgment liens.

Read second time, and ordered to third reading.

Senate Bill No. 644—An Act to pay the claim of the County of Tehama, and making an appropriation therefor.

Read second time.

Senate Bill No. 193—An Act to amend Section 1618 of the Code of Civil Procedure, relating to estates of deceased persons.

Mr. North moved to strike out the enacting clause of Senate Bill No. 193.

So ordered.

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 the following:

Senate Bills Nos. 48, 399, 719, 686, 157, and 563; Substitute for Senate Bills Nos. 357, 358, and 361; Senate Bill No. 291 (amended); and Senate Bills Nos. 670, 271, 347, 315, and 644.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bills Nos. 48, 399, 719, 686, 157, and 563; Substitute for Senate Bills Nos. 357, 358, and 361; Senate Bill No. 291 (amended); and Senate Bills Nos. 670, 271, 347, 315, and 644, were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 48—An Act to provide for additions and improvements to the Deaf, Dumb, and Blind Asylum, and making an appropriation for the same.

Also: Senate Bill No. 399—An Act making an appropriation for the purpose of constructing a reservoir, and laying and maintaining a line of pipe from said reservoir to the Marshall monument, and for other purposes.

Also: Senate Bill No 719—An Act appropriating $81 10 to pay the claim of J. S. Bransford, for services rendered the State of California as Sheriff of Plumas County.

Also: Senate Bill No. 686—An Act making an appropriation to pay the claim of Theodore A. Bell.

Also: Senate Bill No 157—An Act to appropriate the sum of $300, to pay the claim of A. L. Wood, for the capture of Francisco Torres.

Also: Senate Bill No. 563—An Act making an appropriation to pay the deficiency in the appropriation for support of Preston School of Industry, at Ione, California, for the forty-eighth fiscal year.

Also: Substitute for Senate Bills Nos. 357, 358, and 361—An Act to provide for additional buildings for the California Home for the Care and Training of Feeble-Minded Children; to equip the same for occupancy and use; to provide a system of electric lighting therein, and to make an appropriation therefor.

Also: Senate Bill No. 670—An Act appropriating $10,000 to pay the claim of Addie McGinnes.

Also: Senate Bill No. 271—An Act to appropriate the sum of $295 85 to pay the claim of Tribune Printing Company against the State.

Also: Senate Bill No. 347—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirty-first session, California Legislature.

Also: Senate Bill No. 315—An Act appropriating money to pay the claim of W. H. Murray, State Superintendent of Ramie Culture.

Also: Senate Bill No. 644—An Act to pay the claim of the County of Tehama, and making an appropriation therefor.

And now report the same back, and recommend that the same do pass.

Also: Senate Bill No. 291—An Act to provide for reseating the hall in the State Normal School building at San José, and for the building of a gymnasium for the said State Normal School, and to provide an appropriation therefor—and now report the same back, with amendments, and recommend that the same do pass as amended

COOMBS, Chairman.

Report adopted.

The following Senate Bills were ordered placed on file for third reading. Senate Bills Nos. 48, 399, 719, 686, 157, 563, and Substitute

for Senate Bills Nos. 357, 358, and 361; also, Senate Bills Nos. 670, 271, 347, 315, and 644.

Senate Bill No. 291—An Act to provide for reseating the hall in the State Normal School building at San José, and for the building of a gymnasium for the said State Normal School, and to provide an appropriation therefor.

The following amendment was submitted:

Amend by striking out of title the words "for reseating the hall in State Normal School building at San José, and"; and by striking out the word "said" in line 3 of title, and inserting the following after "State Normal School": the words "at San José."

Adopted.

Senate Bill No. 291 ordered to printer and third reading.

ADJOURNMENT.

At ten o'clock and ten minutes P. M., on motion of Mr. North, of Alameda, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 17, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

The roll was called, and the following members answered to their names:

Messrs. Aldridge, Allen, Anderson, Austin, Belshaw, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Foreman, Goff, Guy, Harris, Henry, Houghton, Hudson, Jones, Keables, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Kenyon, Dolan, Treacy, and Pohlmann were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Monday, March 15th, was approved as corrected.

RESOLUTION.

By Mr. Leavitt:

Resolved, That the sum of $500 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*. The Chief Clerk and the two statutory Assistant Clerks shall remain over at the State Capitol after the adjournment of the thirty-second session of the Legislature for a sufficient time to complete a final copy of the Assembly 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 $50 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

Mr. North, of Alameda, moved that the resolution be referred to the proper committee.

Mr. Hill moved to amend by printing the resolution in the Journal, and laying it over one day.

So ordered.

REPORT OF COMMITTEE OF FREE CONFERENCE.

MR. SPEAKER: Your committee of free conference, to which was referred Assembly Bill No 372, has had the same under consideration, and beg leave to report back to your honorable body, and recommend that said bill be returned to the Senate, and do pass, as follows:

Amend by striking out all after the enacting clause, and inserting the following:

SECTION 1. Section seven hundred and thirty-nine of the Political Code is hereby amended to read as follows:

Section 739. The annual salaries of the officers connected with the Supreme Court are as follows:

The reporter of the decisions, twenty-five hundred dollars.

One phonographic reporter, three thousand dollars, and one phonographic reporter, twenty-four hundred dollars

One secretary of the court, twenty-four hundred dollars, and one secretary of the court, twelve hundred dollars

Each bailiff, fifteen hundred dollars.

The librarian, fifteen hundred dollars

SEC. 2. Section seven hundred and sixty-nine of the Political Code is hereby amended to read as follows:

Section 769. The Supreme Court may also, in like manner, appoint two phonographic reporters for the court, to hold office at its pleasure.

SEC. 3 Section twenty-three hundred and fourteen of the Political Code is hereby amended to read as follows:

Section 2314. The Justices of the Supreme Court are hereby authorized to appoint a librarian for the Supreme Court library, who, under their direction, shall conduct its affairs and be responsible for its care. He shall receive the salary provided for in section seven hundred and thirty-nine of this Code.

SEC. 4. This Act shall take effect immediately.

SIMS,
EMMONS,
WRIGHT,
Committee.

Assembly Bill No. 372—An Act to amend Sections 739, 769, and 2314 of the Political Code, relating to officers of the Supreme Court and their salaries.

The question being on the following amendments, as submitted by the committee of free conference:

Amend by striking out all after the enacting clause and inserting the following:

SECTION 1. Section seven hundred and thirty-nine of the Political Code is hereby amended to read as follows:

Section 739 The annual salaries of the officers connected with the Supreme Court are as follows:

The reporter of the decisions, twenty-five hundred dollars.

One phonographic reporter, three thousand dollars, and one phonographic reporter, eighteen hundred dollars.

One secretary of the court, twenty-four hundred dollars, and one secretary of the court, twelve hundred dollars.

Each bailiff, fifteen hundred dollars.

The librarian, fifteen hundred dollars.

SEC 2. Section seven hundred and sixty-nine of the Political Code is hereby amended to read as follows:

Section 769. The Supreme Court may also, in like manner, appoint two phonographic reporters for the court, to hold office at its pleasure.

SEC. 3. Section twenty-three hundred and fourteen of the Political Code is hereby amended to read as follows:

Section 2314 The Justices of the Supreme Court are hereby authorized to appoint a librarian for the Supreme Court library, who, under their direction, shall conduct its affairs and be responsible for its care. He shall receive the salary provided for in section seven hundred and thirty-nine of this Code.

SEC. 4. This Act shall take effect immediately.

The roll was called, and the amendments adopted by the following vote:

AYES—Messrs. Aldridge, Allen, Anderson, Belshaw, Boone, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Damon, Elliott, Emmons, Ennis, Goff, Harris, Hill, Hudson, Jones, Kelly, Landsborough, Leavitt, Mahoney, Mead, Melick, McClellan, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Shanahan, Sims, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—43.

NOES—None.

Assembly Bill No. 372 ordered to printer and reëngrossment.

Mr. Leavitt moved to reconsider the vote whereby Assembly Bill No. 285 was finally passed.

Lost.

SPECIAL ORDERS.

Assembly Bill No. 936—An Act to provide for the levy and collection of an income tax.

Mr. Shanahan moved that the minority report be substituted for the majority report on Assembly Bill No. 936, as published in yesterday's Journal.

Lost.

The question being on the adoption of the majority report.

The same was adopted.

MOTIONS.

Mr. Shanahan moved that the State Printer be instructed to print five hundred copies of Assembly Bill No. 936.

So ordered.

Mr. Sims moved that the Assembly now reconsider the vote whereby Assembly Bill No. 214 was finally passed.

Lost.

Mr. Caminetti moved that the Assembly do now take up Senate messages.

So ordered.

LEAVE OF ABSENCE.

Mr. Power, of Placer, was granted leave of absence for the morning.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 16, 1897

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 13th day of March, amended, and passed as amended, Assembly Bill No. 902—An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employés thereof, and to provide for the compensation of said officers and employés, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year.

Also: On March 15th, amended, and passed as amended, Assembly Bill No. 903 (Substitute for Assembly Bill No 650)—An Act to provide for the location, construction,

and maintenance of State highways in the several counties of the State, and to define the duties of certain State officers and county and district officials in connection therein.

Also: Amended, and passed as amended, Assembly Bill No. 904—An Act to provide for the classification of the roads in the State of California

Also: Assembly Bill No. 905 (Substitute for Assembly Bill No 672)—An Act to provide for the location, construction, and maintenance of highways owned or to be acquired by the State of California, by the levy of a rate of taxation and the creation of a fund therefor

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Assembly Bill No 902 (Substitute for Assembly Bill No. 673)—An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employés thereof, and to provide for the compensation of said officers and employés, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year.

The following Senate amendments were submitted:

Amend Section 3 of printed Assembly Bill No 902 by inserting in line 3 thereof, after the words "provided for," the words "at the expiration of said last-named term, two of said three offices shall cease and determine, and the powers and duties herein specified shall devolve upon one Highway Commissioner."

Also: Strike out of Section 2, lines 6, 7, 8, 9, 10, 11, and 12, the words "at least two of said commissioners shall be civil engineers of at least five years' experience in the State in the practice of their profession. Not more than one commissioner shall be appointed to serve from the same county, at the same time, and not more than two of the said commissioners shall be chosen from or belong to the same political party."

Also: Strike out of Section 2, line 17, the words "for the first year after the passage of this Act."

Also: Amend by substituting for Section 5 of said bill the following:

SEC 5 The three chief executive officers hereinbefore provided for shall immediately, upon qualifying, organize by electing one of their number as president, and shall adopt a seal for the authentication of its acts, records, and proceedings.

Also: Strike out of Section 14, lines 18, 19, 20, 21, and 22, the words "whenever the State Board of Examiners shall approve the application of the Department of Highways for the employment of assistants to do field engineering or field work, the department shall employ the County Surveyor of the county, if there be one, in which it is to be performed."

Also: Strike out of Section 15, line 4, the words and figures "one thousand dollars ($1,000)" and insert in lieu thereof the words and figures "twelve hundred dollars ($1,200)."

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. Aldridge, Allen, Belshaw, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dryden, Elliott, Ennis, Foreman, Goff, Harris, Henry, Hill, Hudson, Jones, Keegan, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, North of Alameda, Price, Rubell, Shanahan, Sims, Soward, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—44.

NOES—Messrs Emmons, Houghton, and McClellan—3.

Assembly Bill No. 902 ordered to enrollment.

Assembly Bill No. 903—An Act to provide for the location, construction, and maintenance of State highways in the several counties of the State, and to define the duties of certain State officers and county and district officials in connection therewith.

The following Senate amendments were submitted:

Strike out all of Section 16.

Also: Renumber Section 17 "Sec. 16," Sec 18 "Sec. 17," Sec. 19 "Sec 18," Sec. 20 "Sec. 19."

Also: Strike out of Section 16, lines 11, 12, 13, and 14, the words "as apportionments of money in the state highway fund are made thereafter, the same shall be paid to such county until the total amount so credited is refunded thereto, without interest."

Also: Strike out of line 10, Section 16, the word "credited," and insert the word "charged."

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. Aldridge, Allen, Austin, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Damon, Dibble, Dryden, Elliott, Ennis, Foreman, Goff, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, North of Alameda, Power of San Francisco, Price, Rubell, Shanahan, Sims, Soward, Strain, Toland, Valentine, Vosburg, Waymire, and Wright—45.

NOES—None.

Assembly Bill No. 903 ordered to enrollment.

Assembly Bill No. 904—An Act to provide for the classification of the roads in the State of California.

The following Senate amendments were submitted:

Strike out of Section 3, lines 2 and 3, the words "within nine months after the passage of this Act"

Also: Strike out of Section 3, lines 36 to 52, inclusive, the words "in case the Department of Highways and the Board of Supervisors shall fail to reach an agreement or decision, then, and in that case, they shall jointly select a County Surveyor or a civil engineer engaged in the active practice of his profession to act as an arbitrator, but in no case shall said County Surveyor or civil engineer be in any manner whatsoever interested in said highway or highways petitioned for, or a resident of the county in which the proposed highway or highways, or portions thereof, may be situated. It shall be the duty of said arbitrator to determine the questions at issue, and, upon reaching a conclusion thereon, he shall notify the Department of Highways and the Board of Supervisors of the same. In all cases where an arbitrator shall be appointed, his decision shall be final. It shall then be the duty of the Department of Highways to take such action as will be necessary to put in effect the decision reached."

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. Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Boone, Breiling, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Goff, Harris, Henry, Hill, Houghton, Hudson, Kelly, Kelsey, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Rubell, Sanford, Shanahan, Soward, Strain, Treacy, Vosburg, Waymire, Wright, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 904 ordered to enrollment.

Assembly Bill No. 905 (Substitute for Assembly Bill No. 672)—An Act to provide for the location, construction, and maintenance of highways owned or to be acquired by the State of California, by the levy of a rate of taxation and the creation of a fund therefor.

Ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the 13th day of March, amended, and passed as amended, Assembly Bill No. 632—An Act to provide for the organization and management of county fire insurance companies

Also: On March 16th, amended, and passed as amended, Assembly Bill No. 977—An Act to amend Section 170 of the Code of Civil Procedure

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant

Assembly Bill No. 632—An Act to provide for the organization and management of county fire insurance companies.

The following Senate amendment was submitted:

Amend by adding to Section 10, line 10, the words "*provided*, that the amount of insurance shall not exceed seventy-five per cent of the value of the property, and that no additional insurance shall be allowed."

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. Aldridge, Allen, Anderson, Belshaw, Boone, Breiling, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Goff, Hill, Houghton, Keables, Keegan, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, North of Alameda, North of Yolo, Power of Placer, Price, Rubell, Sanford, Shanahan, Sims, Soward, Strain, Waymire, Wright, and Mr. Speaker—46.

NOES—None

Assembly Bill No. 632 ordered to enrollment.

Assembly Bill No. 977—An Act to amend Section 170 of the Code of Civil Procedure.

The following Senate amendments were submitted:

Amend by striking out of Section 1, line 14, page 1, the words "the justice or" and inserting in lieu thereof the word "any."

Also. Amend by inserting on same page. line, and section, after the word "judge," the words "of a court of record."

Also: Amend by striking out of line 15, same page and section, the words "justice or" after the word "such," and also the words "justice or" after the word "said."

Also: Amend by striking out of line 16, Section 1, page 2, the words "justice or"; also, amend by striking out of line 23, after the word "a," the words "justice or," and by inserting after the word "filed," on line 24, the words "and served upon the adverse party, or the attorney for such party."

Also Amend by striking out of line 24, page 2, Section 1, after the word "least," the word "ten," and inserting in lieu thereof the word "one."

Also: Amend by striking out of the same line, section, and page the word "days" preceding the words "before the day," and inserting in lieu thereof the word "day."

Also: Amend by striking out of line 26, page 2, Section 1, after the word "least," the word "five," and inserting in lieu thereof the word "one."

Also: Amend by striking out of the same line, page, and section the word "days" and inserting in lieu thereof the words "day thereafter."

Also: Amend by striking out of lines 26 and 27, in the same section and page, the following: "before the day set for trial of such action or proceeding," and insert in lieu thereof the following words: "or such further time as the court may extend the time for filing such counter affidavits, not exceeding five days, and for this purpose the court may continue the trial, and in no one cause or proceeding can more than one such change of judges be had."

Also By inserting after the word "affidavits," on line 31, same page and section, the words "and counter affidavits"

Also: Strike out all of Section 2, including the number 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. Aldridge, Belshaw, Boone, Breiling, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dibble, Ennis, Fontana, Foreman, Goff, Harris, Hill, Houghton, Hudson, Jones. Keegan, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Rubell, Sanford, Sims, Soward, Strain, Treacy, Vosburg, Waymire, Wright, and Mr Speaker—46.

NOES—None.

Assembly Bill No. 977 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the 15th day of March, passed Assembly Bill No 943 (Committee Substitute for Assembly Bill No 719)—An Act to repeal an Act entitled "An Act regulating the sale of mineral lands belonging to the State," approved March 28, 1874, and the Acts amendatory thereof, and to provide for the sale of mineral lands under United States laws.

Also: Senate Bill No. 309—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, for the grading and paving of Dwight Way, in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under a contract with

Guy H. Chick, Superintendent of Streets of the Town of Berkeley, California, his authority having been acquired under the general street law of this State.

Also: Senate Bill No. 330—An Act to amend Sections 3659, 3665, 3681, 3728, 3732, 3734, 3746, 3758, 3763, 3801, 3805, 3817, 3820, 3821, 3825, 3843, 3845, 3858, and 3897 of the Political Code; to add to said Code five new sections, to be numbered Sections 3737, 3739, 3776, 3777, and 3818, and to repeal Sections 3428 and 4083 of said Code, all of said sections relating to public lands and revenue and taxation

Also: Senate Bill No. 531—An Act to amend Section 3472 of the Political Code of the State of California, relating to the formation of swamp land or reclamation districts.

Also: Substitute for Senate Bill No. 471—An Act to amend Sections 1770, 1771, 1772, 1773, 1774, and 1775 of the Political Code, relative to County Boards of Education.

Also: Assembly Bill No 247—An Act making an appropriation to pay the claim of the Daily Report Publishing Company, for advertising the constitutional amendments

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Assembly Bill No. 943 ordered to enrollment.

Senate Bill No. 309—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, for the grading and paving of Dwight Way, in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and material furnished under a contract with Guy H. Chick, Superintendent of Streets of the Town of Berkeley, California, his authority having been acquired under the general street law of this State.

Read first time, and placed on file for second reading.

Senate Bill No. 330—An Act to amend Sections 3659, 3665, 3681, 3728, 3732, 3734, 3746, 3758, 3763, 3801, 3805, 3817, 3820, 3821, 3825, 3843, 3845, 3858, and 3897 of the Political Code; to add to said Code five new sections, to be numbered Sections 3737, 3739, 3776, 3777, and 3818, and to repeal Sections 3428 and 4083 of said Code, all of said sections relating to public land, and revenue and taxation.

Read first time, and placed on file for second reading.

Senate Bill No. 531—An Act to amend Section 3472 of the Political Code of the State of California, relating to the formation of swamp land or reclamation districts.

Read first time, and placed on file for second reading.

Senate Bill No. 471—An Act to amend Sections 1770, 1771, 1772, 1773, 1774, and 1775 of the Political Code, relative to County Boards of Education.

Read first time, and placed on file for second reading.

Assembly Bill No. 247 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1897

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 17th day of March, refused to concur in Assembly amendments to Senate Bill No 136—An Act to establish a uniform system of county and township governments—and respectfully requests your honorable body to recede from said amendments.

F. J. BRANDON, Secretary.
By G W. McINTYRE, Assistant.

Mr. Cutter moved that the Assembly refuse to recede from the Assembly amendments.

So ordered.

Mr. Valentine moved that the Speaker appoint a conference committee on Senate Bill No. 136.

So ordered.

Speaker Coombs appointed Messrs. Valentine, Jones, and Caminetti as the conference committee on Senate Bill No. 136.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the 15th day of March, concurred in Assembly amendments to Senate Bill No. 370—An Act to amend Section 3495 of the Political Code, by adding a provision relative to adverse occupations.

Also: Concurred in Senate amendments to Senate Bill No 696—An Act amending Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the powers of the Boards of Trustees of certain cities

Also: On the 15th day of March, passed Assembly Bill No. 623—An Act to amend Sections 350, 351, and 354 of the Penal Code of the State of California, relating to the punishment of counterfeiting trademarks, and the sale of goods bearing counterfeited trademarks, and other infringements of the rights of trademarks.

Also: Amended, and passed as amended, Assembly Bill No 694—An Act authorizing municipal corporations to lease, purchase, own, and operate gravel-beds and quarries, and to transport gravel and rock therefrom to such municipal corporations for the purpose of making, improving, and repairing roads.

Also: Passed Assembly Bill No. 839—An Act making an appropriation to pay the claim of Marion Pirkey, for moneys advanced to the National Guard of California.

Also: Senate Bill No. 694—An Act to amend Section 1276 of the Code of Civil Procedure of the State of California.

Also: On the same date, refused second reading to Assembly Bill No. 434—An Act to amend Sections 7 and 9 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 as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Also: On the same date, adopted Assembly Concurrent Resolution No 13—Relative to consent of the Legislature to the absence of the Governor of the State, James H. Budd, from the State for a period not to exceed six months.

F. J. BRANDON, Secretary.
By G W. MCINTYRE, Assistant

Assembly Bills Nos. 623 and 839, and Assembly Concurrent Resolution No. 13 ordered to enrollment.

Senate Bill No. 694—An Act to amend Section 1276 of the Code of Civil Procedure of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 694—An Act authorizing municipal corporations to lease, purchase, own, and operate gravel-beds and quarries, and to transport gravel and rock therefrom to such municipal corporations for the purpose of making, improving, and repairing roads.

The following Senate amendment was submitted:

Amend by striking out all of Section 4, page 2.

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. Aldridge, Allen, Arnerich, Belshaw, Boone, Breiling, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Clarke, Cross, Dibble, Elliott, Emmons, Ennis, Gately, Goff, Harris, Henry, Hill, Houghton, Hudson, Keables, Kelly, Kelsey, Landsborough, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Soward, Strain, Toland, Treacy, Vosburg, Wright, and Mr Speaker—46.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the 15th day of March, concurred in Assembly amendments to Senate Bill No. 288—An Act to provide for the completion and equipment of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California, and to make an appropriation therefor.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1897

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 15th day of March, passed Senate Bill No. 394—An Act to provide for the payment of the claim of D E O'Keefe, for advertising done for the State of California, in the San Mateo County Journal.

Also: Senate Bill No. 423—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

Also: On March 12, 1897, refused passage to Assembly Bill No. 770—An Act to add a new section to the Civil Code, to be known as Section 2949 thereof, relating to the sale and redemption of property sold under power of mortgages and trust deeds.

F J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 394—An Act to provide for the payment of the claim of D. E. O'Keefe, for advertising done for the State of California, in the San Mateo County Journal.

Read first time, and placed on Senate file for second reading.

Senate Bill No. 423—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 placed on Senate file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the 12th day of March, 1897, adopted Senate Joint Resolution No. 17—Relative to a duty upon imported wines

Also: On the 15th day of March, adopted Senate Concurrent Resolution No. 12—Relative to a document purporting to be Senate Bill No. 494

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

SPECIAL ORDERS.

Assembly Bill No. 354—An Act entitled "An Act to amend Section 1196 of the Political Code," relating to elections.

Passed on file.

At eleven o'clock and forty minutes A. M., the Speaker called Mr. Wright to the chair.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY—MINORITY REPORT

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1897.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No 293—An Act entitled an Act to repeal "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," approved March 28, 1895—have had the same under consideration, and respectfully report the same back, and recommend that it do pass; the same being the minority report of

MALCOLM
CHYNOWETH
HILL.
SOWARD
VALENTINE.
H H. NORTH.

Mr. Cutter moved to amend by striking out the enacting clause of Senate Bill No. 293.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Cutter, Jones, and Cross.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the motion of Mr. Cutter.

The ayes and noes were demanded by Messrs. Kelsey, Valentine, and Leavitt.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Aldridge, Allen, Boone, Breiling, Burnett, Caminetti, Canavan, Clarke, Cutter, Dibble, Dryden, Elliott, Emmons, Ennis, Foreman, Henry, Houghton, Jones, Keables, Keegan, Landsborough, Lindenberger, Mahoney, Mead, Mulcrevy, McClellan, Pohlmann, Rubell, Ryan, Sanford, Shanahan, Sims, Stansell, Toland, Treacy, Valentine, and Waymire—37.

NOES—Messrs. Anderson, Arnerich, Belshaw, Burnham, Chynoweth, Cross, Fontana, Harris, Hill, Hudson, Kelsey, Leavitt, Malcolm, Melick, Price, Soward, Vosburg, Wright, and Mr. Speaker—19.

NOTICE OF RECONSIDERATION.

Mr. Valentine gave notice that on next legislative day he would move to reconsider the vote whereby the motion of Mr. Cutter to strike out the enacting clause of Senate Bill No. 293 was adopted.

MOTION.

Mr. Leavitt moved that the vote whereby Senate Bill No. 303 was refused final passage be reconsidered.

So ordered.

Senate Bill No. 303—An Act making an appropriation to pay for services of additional counsel to assist the Attorney-General in the defense of the suit of the Southern Pacific Company against the Board of Railroad Commissioners.

Mr. Anderson moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 1, line 1, the words "twenty thousand," and inserting the following: "twelve thousand five hundred."

The question being on the adoption of the amendment offered by Mr. Anderson.

The ayes and noes were demanded by Messrs. Vosburg, Anderson, and Lindenberger.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Anderson, Chynoweth, Foreman, Hill, Houghton, Hudson, Jones, Keegan, Landsborough, Lindenberger, Mead, Melick, McClellan, Price, Strain, and Vosburg—16.

NOES—Messrs. Aldridge, Allen, Arnerich, Austin, Belshaw, Boone, Burnett, Burnham, Caminetti, Canavan, Clarke, Cross, Cutter, Dibble, Dryden, Elliott, Emmons, Ennis, Harris, Kelly, Leavitt, Mahoney, Malcolm, Mulcrevy, North of Alameda, North of Yolo, Power of San Francisco, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Toland, Treacy, Valentine, Waymire, Wright, and Mr. Speaker—40.

The question being on the final passage of Senate Bill No. 303.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Aldridge, Allen, Arnerich, Austin, Belshaw, Boone, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Emmons, Ennis, Fontana, Harris, Henry, Hill, Jones, Keables, Kelly, Leavitt, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of San

Francisco, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Waymire, Wright, and Mr. Speaker—49.

NOES—Messrs. Chynoweth, Houghton, Landsborough, Lindenberger, Price, and Vosburg—6.

Title read and approved.

At twelve o'clock and fifteen minutes P. M., upon motion of Mr. Emmons, the hour of recess was extended fifteen minutes.

REPORT OF COMMITTEE ON INVESTIGATION OF THE EXAMINER.

MR. SPEAKER: Your committee appointed to investigate the charges of bribery made by the Examiner, of San Francisco, against members of the Assembly, beg leave to submit the following report:

The committee met Tuesday, March 2d, at two o'clock and fifteen minutes P. M., and organized by electing Mr. Belshaw Chairman. Mr. Garrett McEnerny appeared as *counsel for the Examiner, and at his request the committee adjourned to* Thursday, March 4th, at two o'clock P. M. Since that time the labors of the committee have been incessant up to the present time. We have examined under oath over one hundred witnesses, including every member of the Assembly. The investigation has been most thorough, but the committee has been unable to find the slightest evidence to substantiate the charges made by the Examiner. Your committee invited the Examiner people to assist in the investigation, but they, acting under the advice of their attorneys, positively refused to divulge the information, if any they had, upon which the charges were made; and the committee was forced to proceed with the investigation as best it could, without the information which the Examiner claimed to have, but refused to disclose. With the exception of three or four witnesses, we have been unable to even bring out rumors relative to the matter, and we were absolutely unable to trace these rumors to any authoritative source Therefore, your committee is unanimously of the opinion that the article printed in the Examiner of February 27, 1897, headed "Bribery in Aid of Thievery," was based entirely upon rumors, and not upon facts, and we believe that every member of the Assembly is innocent of the offense charged. While we believe that it is the province of every newspaper to make public all manner of corrupt actions by public men, we further believe that it should ascertain for a certainty the facts of the case, and not blacken the reputation of any man or body of men upon idle rumors.

C. M. BELSHAW.
A. W. HILL.
WM. MEAD.
JAMES W. CLARKE.
EDWARD S. RYAN.

Mr. Belshaw moved that the report of the Committee on Investigation be printed in the Journal, and that the evidence be printed in the appendix to the Journal.

So ordered.

RECESS.

At twelve o'clock and twenty-five minutes P. M., on motion of Mr. Belshaw, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Coombs in the chair.

Quorum present.

LEAVE OF ABSENCE.

Mr. Emmons was granted leave of absence until to-morrow at two o'clock P. M.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 17, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 17th day of March, adopted the report of the Committee of Free Conference appointed on Assembly Bill No. 372—An Act to amend Sections 739, 769, and 2314 of the Political Code, relating to officers of the Supreme Court and their salaries—and herewith return to you said bill.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the 16th day of March, amended, and passed as amended, Assembly Bill No. 859—An Act to amend an Act entitled "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 and watercourses, 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," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Also: Assembly Bill No 876—An Act to regulate the business of commission merchants, agents, factors, or brokers dealing in farm produce, grain, fruit, seeds, honey, or dairy produce.

Also: On the 16th day of March, Assembly Bill No 240—An Act making an appropriation to pay the deficiency in the appropriation "to provide for the erection and operation of rock-crushing plants at the State prisons," etc.—was withdrawn from file by Senator Doty.

F J BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Assembly Bill No. 859—An Act to amend an Act entitled "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 and watercourses, 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," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

The following Senate amendment was submitted:

Amend by striking out of Section 1, line 1, the words "said Act," and inserting the following in lieu thereof: "An Act entitled '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 and watercourses, 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,' approved March 27, 1895."

The question being, "Shall the Assembly concur in the Senate amendment?"

Pending the roll call upon concurring in Senate amendment to Assembly Bill No. 859, Mr. Belshaw moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Arnerich, Austin, Belshaw, Boone, Breiling, Bridgford, Canavan, Clarke, Cross, Damon, Dibble, Elliott, Ennis, Fontana, Goff, Harris, Hudson, Keables, Keegan, Kelsey, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Mulcrevy, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Rubell, Ryan, Sanford, Sims, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, and Mr Speaker.

The Speaker issued a warrant for the arrest of the following members, who were absent without leave, and directed the Sergeant-at-Arms to bring them before the bar of the House: Messrs. Allen, Anderson, Bettman, Burnett, Burnham, Caminetti, Cartwright, Chynoweth, Cutter, Dennery, Dryden, Gately, Godfrey, Goodhue, Guy, Henry, Hill, Houghton, Kelly, Leavitt, Melick, McCandlish, McGrath, Power of San Francisco, Robinson, Shanahan, Soward, Valentine, and Wright.

The following members were brought before the bar of the House by

the Sergeant-at-Arms: Messrs. Dryden, Melick, Foreman, Power of San Francisco, Burnett, Hill, Shanahan, Houghton, and Burnham, and upon motion of Mr. North, of Alameda, were excused.

Mr. North moved that further proceedings under call of the House be dispensed with.

So ordered.

The result of the roll call was announced, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs. Aldridge, Anderson, Austin, Belshaw, Boone, Breiling, Bridgford, Burnett, Burnham, Canavan, Cross, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Foreman, Goff, Harris, Hill, Houghton, Hudson, Keables, Keegan, Kelsey, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sanford, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 859 ordered to enrollment.

Assembly Bill No. 876—An Act to regulate the business of commission merchants, agents, factors, or brokers dealing in farm produce, grain, fruit, seeds, honey, or dairy produce.

The following Senate amendments were submitted:

On page 2, Section 2, in line 4, insert the words "between them" after the word "shall."
Also: On page 2, Section 2, in line 7, strike out the word "double"

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. Aldridge, Anderson, Austin, Belshaw, Boone, Breiling, Bridgford, Burnham, Canavan, Cross, Damon, Dibble, Dryden, Elliott, Ennis, Foreman, Goff, Harris, Henry, Hill, Houghton, Hudson, Keables, Keegan, Kelsey, Landsborough, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Power of San Francisco, Price, Rubell, Ryan, Soward, Stansell, Strain, Toland, Vosburg, Waymire, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 876 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1897

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 16th day of March, passed Assembly Bill No. 225—An Act making an appropriation to pay the claim of Clarence S. Merrill, for services as reporter in a court of inquiry of the National Guard of the State of California.

Also: Assembly Bill No 983—An Act in relation to elections held under the authority of Section 8 of Article XI of the Constitution, to elect boards of freeholders, or to vote upon proposed charters or upon amendments to existing charters.

Also: Adopted Senate Constitutional Amendment No. 10—A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by adding a new section' to be known and designated as Section 7½, Article XI thereof, providing for the framing, by the inhabitants of counties, of local county government acts for their own government

Also: On March 17th passed Assembly Bill No. 986—An Act appropriating money to pay the expenses of conducting investigation into the charges of bribery in connection with the passage of Assembly Bill No. 273.

Also: Assembly Bill No. 987—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-second session of the Legislature.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Constitutional Amendment No. 10 ordered on Senate special file.

Assembly Bills Nos. 225, 983, 986, and 987 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1897.

MR SPEAKER: I am directed to inform your honorable body that on the 17th day of March the President pro tem. of the Senate appointed the following as a Committee of Conference on Senate Bill No. 136—An Act to establish a uniform system of county and township governments—Senators Smith, Pedlar, and Prisk, to act with a like committee from your honorable body, as per your request of this date.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 13, 1897.

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bill No. 4.

Also: Assembly Bill No. 396.

JAMES H. BUDD, Governor.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 17, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 17th day of March, returns to the Assembly Senate Bill No. 351—An Act entitled "An Act to amend Section 1196 of the Political Code, relating to elections"—as per your request of March 16th, for your further consideration

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Mr. Mead moved to reconsider the vote by which Senate Bill No. 351 was passed.

So ordered.

Mr. Mead moved to reconsider the vote by which amendment No. 1 to Senate Bill No. 351 was adopted.

So ordered.

Amend by adding in Section 1, line 6, after the word "officer," "irrigation district and swamp land district."

Lost.

Mr. Mead moved to reconsider the vote by which amendment No. 2 to Senate Bill No. 351 was adopted.

So ordered.

Amend printed Senate Bill No. 351 by striking out of title the word and figures "Section 1196" and inserting the following in place thereof: "Sections 1196 and 1197."

Lost.

Mr. Mead moved to reconsider the vote by which amendment No. 3 to Senate Bill No. 351 was adopted.

So ordered.

Amend printed Senate Bill No. 351 by striking out of Section 1, line 1, the words "Section eleven hundred and ninety-six," and inserting the following in place thereof: "Sections eleven hundred and ninety-six and eleven hundred and ninety-seven."

Lost.

Mr. Mead moved to reconsider the vote by which amendment No. 4 to Senate Bill No. 351 was adopted.

So ordered.

Amend printed Senate Bill No. 351 by adding a new section, as follows:
SEC. 3. This Act shall take effect immediately.

Lost.

Mr. Mead moved to reconsider the vote whereby amendment No. 5 was adopted.

So ordered.

Amend printed Senate Bill No 351 by striking out of Section 2 the words "This Act shall take effect immediately," and inserting the following: Section eleven hundred and ninety-seven of the Political Code is hereby amended so as to read as follows:

Section 1197. All ballots printed by County Clerks, other than the separate ballots containing the names of candidates for city and county offices, printed by the County Clerks of consolidated cities and counties, shall be headed "Municipal Ticket"; and all ballots printed by County Clerks of consolidated cities and counties containing the names of candidates for city and county offices, and also all tickets printed by the clerk or secretary of a legislative body of any incorporated city or town, shall be headed "Municipal Ticket." Under the heading of all general tickets the respective number of the congressional, senatorial, and assembly districts in which each ticket is to be voted shall be printed. The names of all the candidates of each political party shall be printed in a separate column or columns, at the head of which shall be printed the name of the party in large type, as "Republican Nominees," or like designation of other parties In case two or more parties nominate the same candidate or candidates for any or all offices to be voted for, they shall each be equally entitled to have their nominations printed in full in a separate column or columns The party which first files its nominations with the Secretary of State shall have the column or columns on the extreme left of the ballot, the party which files its nominations next in order of time shall be next, and so on until the political parties have all been placed, when a column or columns shall be assigned upon their right for the names of persons who have been nominated by petition. Upon the extreme right of the ballot, in a column or columns, shall be printed proposed constitutional amendments, or other questions to be voted upon At the head of the columns in which the groups of candidates for Presidential Electors of the different parties are printed shall be printed the following direction to voters: "To vote for Electors, mark a cross in the square at the right of the party name." Immediately following this shall be printed the title of their office, and a direction to mark once, as "Electors of President and Vice-President— mark once." At the end of the group of Presidential Electors, and of the blank spaces following them, shall be printed the following direction to voters: "To vote for a person, stamp cross (X) in square at right of name of political party or designation following his name." If the names of candidates of that party extend over to the next column, this direction shall be repeated at the head of such column Each name or group of names of candidates of any party for any one office, except Presidential Electors, provision for which has hereinbefore been made, shall be immediately preceded by the title of the office, at the extreme left of the column, followed on the extreme right of the column by a direction to the voter, specifying the number of persons to be voted for for that office, thus: "Governor—vote for one"

Where proposed amendments to the Constitution or other questions are to be voted upon, the statement and description thereof shall be printed upon the ballot in manner and form as provided for in Section 1054 of this Code, opposite which shall be printed the words "Yes" and "No," on separate lines Such proposed amendments or other question to be voted upon shall be placed in the column at the extreme right of the ticket, and at the head of this column shall be printed the following direction to voters. "To vote on the following questions stamp a cross (X) in the square at the right of 'Yes' or 'No' in each case." All municipal tickets containing the names of candidates for ward or district offices, in addition to such direction to voters, shall have the number of the ward or district in which such ticket is to be voted printed thereon. All municipal tickets shall be printed upon paper of a different tint from that of the general ticket On each ballot a perforated line shall extend from top to bottom, one half inch from the right-hand side of such ballot, and upon the half-inch strip thus formed there shall be no printing, except the number of the ballot, which shall be upon the back of such strip, in such position that it shall appear upon the outside when such ballot is folded The number of each ballot shall be the same as that on the corresponding stub and the ballots and stubs shall be numbered consecutively in each county All ballots shall be eighteen inches in length, and each column shall be four and one half inches in width, and there shall be as many columns as are necessary under the provisions of this section The columns shall be separated by heavy ruled lines, and on all ballots the names of candidates shall each be separated by a rule extending to the extreme right of the column, and each group of names of candidates for any office shall be separated, by a heavy ruled line extending to the extreme right of the column, from the names of the candidates for the next and succeeding office printed upon the ticket

All ballots shall be printed in plain roman type, and shall contain the name of every candidate whose nomination for any office specified in the ballot has been certified to and filed according to the provisions of this Code and no other name; and there shall be added to all the names of candidates for each office, where such officer is to be elected from a section or district comprising more than one county, the name of the county from which he was nominated, followed by their party or political designation or designa-

tions, so far to the right of the column as possible, leaving room for the square or space hereinafter provided for, as

W. M. CUTTER, of Yuba	Independent. Silver. Republican.

The name or names of the candidates of any party shall be arranged under the designation of the office in the column of the party to which they belong. In the case of Electors of President and Vice-President, they shall be arranged in a group as presented by the party or petition nominating them, and placed at the head of the column where they respectively belong; and there shall be printed at the head of each group of Electors so nominated the names of the candidates of the party they represent for President and Vice-President, followed by the political principle or party represented by said Electors, after which, on the extreme right of the column, shall be a space or square, in one of which the voter must stamp a cross (X), signifying his intention to vote for the group of Electors immediately following. as

McKINLEY AND HOBART	Republican.

in great primer title type, or the like; *provided*, that if an elector desires to vote for a less number of persons for Electors of President and Vice-President than are named in each group, or for the full number of Electors in any other arrangement or order than they are permitted upon the ticket, or should he desire to vote for Electors whose names are not upon the ballot, he may do so by writing their names in the blank spaces hereinafter provided for at the end of the list of candidates for Electors of President and Vice-President. Such Electors can be so voted for by writing their names in such spaces, without stamping or other evidence of assent. There shall be left at the end of the list of candidates for each office as many blank spaces as there are persons to be elected to each office, in which the person may insert the name of any person not printed upon the ballot for whom he desires to vote as candidate for such office: and the names and blank spaces on the whole ticket shall be consecutively numbered, the figures being placed on the left-hand side of such names and blank spaces. There shall be a margin on the right hand of the names of all candidates, except Presidential Electors, provision for which is hereinbefore made, at least one half inch wide, along the left-hand edge of which margin a line shall be drawn, forming squares, so that the voter may clearly indicate, in the way to be hereinafter pointed out, the candidate or candidates for whom he wishes to cast his ballot.

SEC. 3. This Act shall take effect immediately.

Lost.

Mr. Mead moved to refer Senate Bill No. 351 to a select committee of one to amend printed bill as follows:

Strike out of title the words and figures "Section 1196" and insert in lieu thereof the words and figures "Sections 1196 and 1197."

Also: Strike out the following: "Section 2 This Act shall take effect immediately," and insert in place thereof:

SEC. 2. Section eleven hundred and ninety-seven of the Political Code is hereby amended so as to read as follows:

Section 1197. All ballots printed by County Clerks, other than the separate ballots containing the names of candidates for city and county offices, printed by the County Clerks of consolidated cities and counties, shall be headed "Municipal Ticket"; and all ballots printed by County Clerks of consolidated cities and counties containing the names of candidates for city and county offices, and also all tickets printed by the clerk or secretary of a legislative body of any incorporated city or town, shall be headed "Municipal Ticket." Under the heading of all general tickets the respective number of the congressional, senatorial, and assembly districts in which each ticket is to be voted shall be printed. The names of all the candidates of each political party shall be printed in a separate column or columns, at the head of which shall be printed the name of the party in large type, as "Republican Nominees," or like designation of other parties In case two or more parties nominate the same candidate or candidates for any or all offices to be voted for, they shall each be equally entitled to have their nominations printed in full in a separate column or columns. The party which first files its nominations with the Secretary of State shall have the column or columns on the extreme left of the ballot, the party which files its nominations next in order of time shall be next, and so on until the political parties have all been placed, when a column or columns shall be assigned upon their right for the names of persons who have been nominated by petition Upon the extreme right of the ballot, in a column or columns, shall be printed proposed constitutional amendments, or other questions to be voted upon. At the head of the columns in which the groups of candidates for Presidential Electors of the different parties are printed shall be printed the following direction to voters: "To vote for Electors, mark a cross in the square at the right of the party name." Immediately following this shall be printed the title of their office, and a direction to mark once, as, "Electors of President and Vice-President—mark once." At the

end of the group of Presidential Electors, and of the blank spaces following them, shall be printed the following direction to voters: "To vote for a person, stamp cross (X) in a square at right of name of political party or designation following his name" If the names of candidates of that party extend over to the next column, this direction shall be repeated at the head of such column. Each name or group of names of candidates of any party for any one office, except Presidential Electors, provision for which has hereinbefore been made, shall be immediately preceded by the title of the office, at the extreme left of the column, followed on the extreme right of the column by a direction to the voter specifying the number of persons to be voted for for that office, thus: "Governor—vote for one"

Where proposed amendments to the Constitution or other questions are to be voted upon the statement and description thereof shall be printed upon the ballot in manner and form as provided for in Section 1054 of this Code, opposite which shall be printed the words "Yes" and "No," on separate lines Such proposed amendments or other question to be voted upon shall be placed in the column at the extreme right of the ticket, and at the head of this column shall be printed the following directions to voters: "To vote on the following questions stamp a cross (X) in the square at the right of 'Yes' or 'No' in each case." All municipal tickets containing the names of candidates for ward or district offices, in addition to such direction to voters, shall have the number of the ward or district in which such ticket is to be voted printed thereon All municipal tickets shall be printed upon paper of a different tint from that of the general ticket. On each ballot a perforated line shall extend from top to bottom, one half inch from the right-hand side of such ballot, and upon the half-inch strip thus formed there shall be no printing, except the number of the ballot, which shall be upon the back of such strip, in such position that it shall appear upon the outside when such ballot is folded. The number of each ballot shall be the same as that on the corresponding stub, and the ballots and stubs shall be numbered consecutively in each county. All ballots shall be eighteen inches in length, and each column shall be four and one half inches in width, and there shall be as many columns as are necessary under the provisions of this section. The columns shall be separated by heavy ruled lines, and on all ballots the names of candidates shall each be separated by a rule extending to the extreme right of the column, and each group of names of candidates for any office shall be separated, by a heavy ruled line extending to the extreme right of the column, from the names of the candidates for the next and succeeding office printed upon the ticket

All ballots shall be printed in plain roman type, and shall contain the name of every candidate whose nomination for any office specified in the ballot has been certified to and filed according to the provisions of this Code, and no other name; and there shall be added to all the names of candidates for each office, where such officer is to be elected from a section or district comprising more than one county, the name of the county from which he was nominated, followed by their party or political designation or designations, so far to the right of the column as possible, leaving room for the square or space hereinafter provided for, as

W. M. CUTTER, of Yuba	Independent. Silver. Republican.

The name or names of the candidates of any party shall be arranged under the designation of the office in the column of the party to which they belong. In the case of Electors of President and Vice-President they shall be arranged in a group as presented by the party or petition nominating them, and placed at the head of the column where they respectively belong; and there shall be printed at the head of each group of Electors so nominated, the names of the candidates of the party they represent for President and Vice-President, followed by the political principle or party represented by said Electors, after which, on the extreme right of the column, shall be a space or square, in one of which the voter must stamp a cross (X), signifying his intention to vote for the group of Electors immediately following, as

McKINLEY AND HOBART	Republican.

in great primer title type, or the like; *provided*, that if an elector desires to vote for a less number of persons for Electors of President and Vice-President than are named in each group, or for the full number of Electors in any other arrangement or order than they are printed upon the ticket, or should he desire to vote for Electors whose names are not upon the ballot, he may do so by writing their names in the blank spaces hereinafter provided for at the end of the list of candidates for Electors of President and Vice-President. Such Electors can be so voted for by writing their names in such spaces, without stamping or other evidence of assent. There shall be left at the end of the list of candidates for each office as many blank spaces as there are persons to be elected to each office, in which the person may insert the name of any person not printed upon the ballot for whom he desires to vote as candidate for such office, and the names and blank spaces on the whole ticket shall be consecutively numbered, the figures being placed on the left-hand side of such names and blank spaces There shall be a margin on the right hand of the names of all candidates except Presidential Electors, provision for which is hereinbefore made, at least one half inch wide, along

the left-hand edge of which margin a line shall be drawn, forming squares, so that the voter may clearly indicate, in the way to be hereinafter pointed out, the candidate or candidates for whom he wishes to cast his ballot

SEC. 3. This Act shall take effect immediately.

It was so ordered.

Mr. Mead was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 351—An Act entitled an Act to amend Section 1196 of the Political Code, relating to elections—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.

MEAD, Committee.

Report adopted.

REPORTS OF STANDING COMMITTEES.

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1897.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Senate Bill No. 375—An Act to amend Section 3446 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of reclamation districts—have had the same under consideration, and respectfully report the same back, amended, and without recommendation.

Also: Senate Bill No. 462—An Act to amend Sections 3476 and 3477 of the Political Code, relating to reclamation of swamp and overflowed lands—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 248—An Act to amend an Act entitled "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," approved March 27, 1895—have had the same under consideration, and respectfully report the same back without recommendation

Also: Senate Bill No 530—An Act to amend Section 3493 of the Political Code of the State of California, relating to the dissolution of swamp land or reclamation districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

A. W. NORTH, Chairman.

Senate Bills Nos. 375, 462, 248, and 530 placed on file for second reading.

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1897.

MR SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 474—An Act entitled an Act to amend Section 1142 of the Political Code, relating to elections.

Also: Assembly Bill No. 475—An Act entitled an Act to amend Section 1192 of the Political Code, relating to elections.

Have had the same under consideration, and respectfully report the same back without recommendation.

H. H. NORTH, Chairman.

Assembly Bills Nos. 474 and 475 read first time, and placed on file for second reading.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly reengrossed:

Assembly Bill No. 354—An Act to amend Section 1196 of the Political Code, relating to elections.

Also: Assembly Bill No. 317—An Act appropriating the sum of $15,000 for the erection of a statue to the memory of Colonel E. D. Baker, and appointment of a commission to carry into effect the provisions of this Act.

Also: That the following Assembly constitutional amendment has been correctly engrossed: Assembly Constitutional Amendment No. 34—Proposed amendment to Article IV of the Constitution, relative to the sessions of the Legislature.

AUSTIN, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No 727—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 all Acts and parts of Acts in conflict with this Act"

Also: Assembly Bill No. 828—An Act to provide for the appointment of a mining inspector in each congressional district in the State, to define his duties, and provide for his compensation and the liability of mining operators.

Also: Assembly Bill No 523—An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution, to provide for the support of all inmates therein, and to repeal all Acts, or parts of Acts, in conflict with the provisions of this Act.

Also: Assembly Bill No. 656—An Act providing for the furnishing to Sheriffs and Chiefs of Police of certain information, description, and photographs of convicts about to be discharged, by the Wardens of State prisons.

Also: Assembly Bill No. 200—An Act to amend Sections 925, 928 of the Penal Code of the State of California, and add a new section to said Code, to be known as Section 929, relating to grand juries, their powers and duties.

Also: Assembly Bill No. 234—An Act making an appropriation to pay the claim of the Tribune Publishing Company, for advertising the constitutional amendments

Also: Assembly Bill No. 483—An Act making an appropriation to pay the claim of Modoc County against the State of California

Also: Assembly Concurrent Resolution No. 10—Relative to printing 30,000 copies of Assembly Concurrent Resolution No. 9. and the distribution thereof.

And presented the same to the Governor, on this day, at two o'clock and twenty minutes P. M.

FONTANA, Chairman.

SENATE SPECIAL FILE.

Senate Bill No. 17—An Act to amend Section 1 of 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 the amendment thereto approved February 23, 1893, and fixing the term of office of the Judges thereof.

Passed on file.

Senate Bill No. 513—An Act to provide for the construction of a State highway or wagon road from Sacramento City to Folsom, in Sacramento County, and appropriating crushed rock and granite or stone blocks for drains and culverts for same.

Passed on file.

Substitute for Senate Bill No. 42—An Act to amend Section 224 of the Civil Code of California, relating to the adoption of orphan, half-orphan, or abandoned children.

Mr. Valentine moved that he be allowed to substitute Senate Bill No. 483 for Senate Bill No. 42.

So ordered.

Senate Bill No. 483—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 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 Anderson, Belshaw, Breiling, Bridgford, Burnham, Caminetti, Clarke, Cross, Cutter, Damon, Dibble, Elliott, Ennis, Fontana, Foreman, Harris, Henry, Houghton, Hudson, Keables, Keegan, Kelsey, Landsborough, Lindenberger, Mahoney,

Mead, Melick, Mulcrevy, McClellan, North of Alameda, Pohlmann, Power of Placer, Price, Rubell, Sims, Soward, Stansell, Strain, Treacy, Valentine, Waymire, Wright, and Mr. Speaker—43.

NOES—Mr. Goff—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Mead gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 483 was passed.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 126—An Act to amend Section 607 of the Code of Civil Procedure of the State of California, relating to order of procedure on trial.

Read third time.

Mr. Sanford moved to appoint a select committee of one to amend as follows:

Strike out of Section 607, line 21, the word "or," and insert in lieu thereof "on."

So ordered.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 126—An Act to amend Section 607 of the Code of Civil Procedure of the State of California, relating to order of procedure on trial—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.

SANFORD, Committee.

Report adopted.

Senate Bill No. 126 ordered to printer.

Senate Bill No. 273 (Substitute for Assembly Bill No. 307)—An Act to amend Section 1313 of the Civil Code, relating to restriction on the power of devise to charitable uses.

Read third time.

Mr. Mulcrevy moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by striking out of Section 1, lines 11 and 12, the words "and without sectarian bias or control."

The question being upon the appointment of a select committee.

The ayes and noes were demanded by Messrs. Kelly, Mulcrevy, and Gately.

The roll was called, and pending the announcement of the result, Mr. Mulcrevy moved a call of the House.

Lost.

The Speaker then announced the result of the roll call, and the motion of Mr. Mulcrevy to appoint a select committee of one was lost by the following vote:

AYES—Messrs. Arnerich, Canavan, Foreman, Gately, Henry, Jones, Keegan, Kelly, Mahoney, Mulcrevy, Pohlmann, Ryan, and Treacy—13

NOES—Messrs. Aldridge, Austin, Belshaw, Breiling, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Fontana, Goff, Guy, Houghton, Hudson, Keables, Kelsey, Landsborough, Landenberger, Malcolm, Melick, McClellan, North of Alameda, North of Yolo, Power of Placer, Price, Rubell, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—43.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Austin, Belshaw, Breiling, Bridgford, Burnett, Burnham, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Goff, Guy, Houghton, Hudson, Jones, Keables, Kelsey, Landsborough, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Sanford, Shanahan, Sims, Soward, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—46.

NOES—Messrs. Canavan, Foreman, Gately, Henry, Keegan, Kelly, Mahoney, Rubell, Ryan, Toland, and Treacy—11.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Mulcrevy gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 273 was passed.

At three o'clock and thirty-five minutes P. M., the Speaker called Mr. Belshaw to the chair.

SPECIAL URGENCY FILE.

Assembly Bill No. 981—An Act for the establishment of a uniform system of road government and administration in the counties of the State of California.

Read third time.

Mr. Clarke moved that a select committee of one be appointed by the Speaker to make the following amendments:

AMENDMENT No. 1.

Amend by inserting in Section 24, line 3, after the word "district," the following: "Such clerk shall receive in addition to his compensation as trustee the sum of twenty-five dollars per annum, which shall be allowed and paid at the same time, in the same manner, and subject to the same conditions as his compensation as trustee."

AMENDMENT No. 2.

Amend by adding to Section 23, line 35, after the word "therein," the following: "*and provided further*, that unless and until the public highways in the several counties of this State shall be classified into district and other roads in pursuance of statute, all public highways in such road district in the several counties in this State shall be deemed to be district roads under the provisions of this Act."

AMENDMENT No. 3.

Amend by inserting in Section 5, line 11, the word "place" between the words "conspicuous" and "it."

AMENDMENT No. 4.

Amend by adding to Section 9, line 6, after the word "three," the following: "Each road trustee shall receive as full compensation for the services required of him by law, or by virtue of his office, twenty-five dollars per annum, to be allowed by the Board of Supervisors and paid out of the funds of the district available for the fiscal year in which the service is rendered; *provided*, that neither the whole nor any part of such compensation shall be allowed or paid until the report required by subdivision six of section twenty of this Act shall have been filed with and approved by the Board of Supervisors."

AMENDMENT No. 5.

Amend by adding to Section 42, line 3, after the word "June," the following: "All claims and demands against any road district shall first be presented to the Board of Trustees thereof, and if the trustees allow the same they shall draw their warrant, made payable out of the proper fund of their district. A statement of such claim or demand, itemized and verified in the manner required by law for claims against the county, shall be filed with the clerk of the Board of Supervisors at least one day before it is presented for allowance. Such warrants shall accompany said statement, but shall not be filed with the clerk. The Board of Supervisors shall carefully examine and audit every such claim, and if they approve the same they shall indorse their allowance in the trustees' warrant therefor, which shall then be presented to the Auditor, who shall draw his requisition to pay the same upon the County Treasurer against the proper fund of the district drawing the warrant; *provided*, that in no case shall the Board of Supervisors allow any claim for an amount larger than that specified in the trustees'

warrant therefor, nor shall the Auditor draw his requisition to pay any claim for an amount greater than that allowed by the Board of Supervisors. When the Board of Trustees or the Board of Supervisors find that any claim presented against any road district is not payable by such district or is not a proper charge against such board, must reject it and such rejection shall be clearly entered on the minutes of the Board of Trustees or indorsed by the Board of Supervisors on such warrant, and thereafter the same proceedings may be had thereon against such district as is provided by law for the case of the rejection of a claim against the county."

So ordered.

Mr. Clarke was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1897.

MR SPEAKER: Your select committee, to whom was referred Assembly Bill No. 981—An Act for the establishment of a uniform system of road government and administration in the counties of the State of California—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

CLARKE, Committee.

Report adopted.

Assembly Bill No. 981 ordered to printer and reëngrossment.

Assembly Bill No. 499 – An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add two new sections to said Act, to be known as Sections 20 and 21.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Austin, Belshaw, Boone, Bridgford, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dibble, Dryden, Elliott, Ennis, Foreman, Goff, Guy, Houghton, Hudson, Jones, Keables, Kelsey, Landsborough, Lindenberger, Mead, Mulcrevy, McClellan, North of Alameda, Pohlmann, Power of Placer, Price, Rubell, Sanford, Sims, Soward, Stansell, Strain, Treacy, Vosburg, Waymire, and Wright—42.

NOES—None.

Title read and approved.

MOTIONS TO RECONSIDER.

Mr. Mulcrevy moved to reconsider the vote by which Assembly Bill No. 901 was refused final passage.

So ordered.

Mr. Mulcrevy moved that the further consideration of Assembly Bill No. 901 be made a special order for to-morrow.

So ordered.

Mr. Canavan moved that the Assembly do now reconsider the vote by which Assembly Bill No. 161 was refused final passage.

So ordered.

Mr. Canavan moved to make the further consideration of Assembly Bill No. 161 a special order for to-morrow.

So ordered.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 885 (Substitute for Assembly Bill No 833)—An Act to authorize the Board of Education of the City and County of San Francisco to lease school lots in said city and county.

Mr. Pohlmann moved to substitute Senate Bill No. 536 for Assembly Bill No. 885 on the file.

So ordered.

Senate Bill No. 536—An Act to amend Section 1524 of the Penal Code, relating to the issuing of search warrants.

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. Austin. Boone, Breiling, Caminetti, Canavan, Dibble, Ennis, Godfrey, Goff, Guy, Harris, Henry, Kelly, Kelsey, Mahoney, Mulcrevy, Pohlmann, Ryan, Sanford, Sims, Soward, and Waymire—22.

NOES—Messrs Aldridge, Belshaw, Bridgford, Chynoweth, Clarke, Cross, Cutter, Damon, Dryden, Elliott, Fontana, Foreman, Houghton, Hudson, Jones, Keables, Landsborough, Lindenberger, McClellan, Power of Placer, Price, Rubell, Shanahan, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, and Wright—30.

NOTICE OF RECONSIDERATION.

Mr. Treacy gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 536 was refused passage.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 56—An Act to provide for the purchase of additional lands and improving the same 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. Aldridge, Austin, Belshaw, Breiling, Bridgford, Caminetti, Canavan, Clarke, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Foreman, Gately, Guy, Harris, Henry, Houghton, Hudson, Jones, Keables, Kelly, Kelsey, Landsborough, Lindenberger, Mahoney, Mulcrevy, Power of Placer, Price, Rubell, Ryan, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Treacy, Vosburg, Waymire, and Wright—44.

NOES—Mr. Chynoweth—1.

Title read and approved.

Senate Bill No. 507—An Act to authorize the State Board of Harbor Commissioners to establish and maintain a free public market upon the waterfront of San Francisco, and providing for the expenses and regulations 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. Aldridge, Arnerich, Austin, Belshaw, Boone, Breiling, Bridgford, Caminetti, Chynoweth, Clarke, Cross, Cutter, Dibble, Dryden, Elliott, Ennis, Foreman, Goff, Guy, Harris, Houghton, Hudson, Keables, Kelsey, Landsborough, Lindenberger, Malcolm, Mead, McClellan, Power of Placer, Price, Rubell, Sanford, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Vosburg, and Waymire—41.

NOES—Messrs. Canavan, Gately, Henry, Jones, Kelly, Pohlmann, and Ryan—7.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Caminetti gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 507 was passed.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 897—An Act to authorize the Governor to employ an agent to collect certain claims due the State of California by the United States, and to provide compensation for such services.

Passed on file.

Assembly Bill No. 577—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 engrossment and third reading.

Substitute for Senate Bill No. 321—An Act to establish the Polytechnic Institute of California in San Luis Obispo County, 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. Aldridge, Arnerich, Austin, Belshaw, Breiling, Burnett, Canavan, Cross, Cutter, Damon, Dibble, Dryden, Ennis, Foreman, Gately, Goff, Guy, Harris, Henry, Hill, Jones, Keables, Kelsey, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Pohlmann, Power of Placer, Price, Rubell, Sanford, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—44.

NOES—Messrs Boone, Bridgford, Chynoweth, Clarke, Elliott, Houghton, Hudson, McClellan, and Shanahan—9.

Title read and approved.

INTRODUCTION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Cutter:

ASSEMBLY CONCURRENT RESOLUTION No. 14.

Resolved by the Assembly, the Senate concurring, That after twelve o'clock and thirty minutes P. M. of Thursday, March eighteenth, only Senate bills shall be considered by the Assembly, and only Assembly bills by the Senate, except the General Appropriation Bill, the County Government Act, the Tax Levy Bill, the General Fee Bill, and road bills.

Mr. Cutter moved that the rules be suspended and the resolution considered at this time.

So ordered.

Assembly Concurrent Resolution No. 14 adopted.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 582—An Act making an appropriation for the purpose of dredging Humboldt Bay, and naming the commissioners who shall have charge thereof.

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. Hill moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Austin, Belshaw, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Clarke, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Foreman, Goff, Guy, Harris, Hill, Houghton, Hudson, Keables, Keegan, Kelsey, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, North of Alameda, Pohlmann, Power of Placer, Price, Rubell, Sanford, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, and Wright.

Mr. Caminetti moved that further proceedings under call of the House be dispensed with.

So ordered.

The Speaker then announced the result of the roll call, and Assembly Bill No. 582 was refused final passage by the following vote:

AYES—Messrs. Austin, Belshaw, Burnett, Burnham, Caminetti, Canavan, Cutter, Damon, Dibble, Elliott, Ennis, Fontana, Gately, Goff, Guy, Harris, Jones, Keables, Kelsey, Malcolm, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Price, Sanford, Sims, Soward, Stansell, Strain, Wright, and Mr Speaker—32

NOES—Messrs Aldridge, Boone, Bridgford, Chynoweth, Clarke, Dryden, Foreman, Hill, Houghton, Hudson, Keegan, Kelly, Landsborough, Lindenberger, Mahoney, Melick, Mulcrevy, McClellan, Robinson, Rubell, Shanahan, Toland, Treacy, Vosburg, and Waymire—25.

NOTICE OF RECONSIDERATION.

Mr. Hill gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 582 was refused passage.

RECESS.

At five o'clock and thirty-five minutes P. M., on motion of Mr. Canavan, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and thirty-five minutes P. M. Speaker Coombs in the chair.

Quorum present.

LEAVE OF ABSENCE.

Mr. Fontana was granted a leave of absence for the evening.

SPECIAL ORDERS.

Senate Bill No. 386 (Substitute for Assembly Bill No. 408)—An Act to pay the claim of Paris Kilburn, J. B. Fuller, and H. W. Magee, Bank Commissioners of 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 pending the announcement of the result, Mr. Cutter moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Austin, Belshaw, Boone, Breiling, Canavan, Chynoweth, Cutter, Damon, Dibble, Dryden, Ennis, Gately, Goff, Harris, Hudson, Keables, Kelsey, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Mulcrevy, McClellan, North of Yolo, Price, Rubell, Ryan, Sanford, Sims, Soward, Stansell, Strain, Toland, Vosburg, Waymire, Wright, and Mr. Speaker.

Mr. Cutter moved that further proceedings under call of the House be dispensed with.

So ordered.

The roll call was announced, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Anderson, Austin, Belshaw, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Clarke, Cutter, Damon, Dibble, Dryden, Ennis, Gately, Goff, Harris, Hudson, Jones, Keables, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North

of Yolo, Price, Rubell, Ryan, Sanford, Sims, Soward, Stansell, Strain, Toland, Vosburg, Waymire, Wright, and Mr. Speaker—48.
NOES—Messrs. Chynoweth and Elliott—2.

Title read and approved.

Senate Bill No. 430—An Act for the relief of W. C. Guirey.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Belshaw, Boone, Breiling, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Ennis, Gately, Goff, Harris, Keables, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Ryan, Sanford, Sims, Soward, Stansell, Toland, Vosburg, Waymire, Wright, and Mr. Speaker—41.
NOES—Messrs Elliott, Keegan, and Rubell—3.

Title read and approved.

Senate Bill No. 697—An Act making an appropriation to pay the claim of the Southern Pacific Company.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Aldridge, Belshaw, Boone, Breiling, Clarke, Cross, Cutter, Damon, Dibble, Elliott, Ennis, Gately, Goff, Harris, Keables, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Power of Placer, Price, Rubell, Ryan, Sanford, Sims, Soward, Stansell, Strain, Toland, Vosburg, Waymire, Wright, and Mr. Speaker—42.
NOES—None.

Title read and approved.

Assembly Bill No. 317—An Act appropriating the sum of $15,000 for the erection in Golden Gate Park, San Francisco, California, of a monument or statue to the memory of Colonel E. D. Baker, and appointment of a commission to carry into effect the provisions of this Act.

Mr. Waymire moved that Assembly Bill No. 317 be withdrawn and Senate Bill No. 48 substituted therefor.

So ordered.

Senate Bill No. 48—An Act to provide for additions and improvements to the Deaf, Dumb and Blind Asylum, and making an appropriation for 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 Aldridge, Belshaw, Boone, Breiling, Canavan, Chynoweth, Cross, Damon, Dibble, Dryden, Elliott, Ennis, Gately, Goff, Harris, Henry, Keables, Keegan, Kelsey, Landsborough, Leavitt, Lindenberger, Mead, Melick, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Rubell, Ryan, Sanford, Sims, Soward, Stansell, Strain, Toland, Vosburg, Waymire, Wright, and Mr. Speaker—42.
NOES—None.

Title read and approved.

RESOLUTION.

By Mr. Wright:

Resolved, That Senate Bill No. 389 (25 on special urgency file); Senate Bill No. 48 (318 on file); Assembly Bill No. 94 (144 on file); Assembly Bill No. 369 (145 on file); Assembly Bill No 371 (146 on file); Assembly Bill No 527 (215 on file); Senate Bill No 692 (289 on file); Senate Bill No. 340 (365 on file); Senate Bill No. 87 (300 on file); Senate Bill No. 119 (305 on file); Senate Bill No 521 (306 on file); Senate Bill No 398 (307 on file); Senate Bill No. 549 (313 on file), Substitute for Senate Bills Nos. 357, 358, 361 (329 on file); Senate Bill No. 359 (364 on file); Senate Bill No 419 (10 on special urgency file); Senate Bill No. 56 (19 on special urgency file); Senate Bill No. 321 (23 on special urgency file); Substitute for Senate Bills Nos. 341, 342, 343 (298 on file); Senate Bill

No. 89 (299 on file); Senate Bill No. 291 (347 on file), and Senate Bill No 700, be read third time and placed on final passage to-night and every succeeding evening until disposed of.

Adopted.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 205—An Act making an appropriation to pay for advertising the constitutional amendments for 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. Aldridge, Belshaw, Breiling, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Foreman, Goff, Harris, Henry, Houghton, Hudson, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, North of Alameda, North of Yolo, Power of Placer, Price, Rubell, Ryan, Sanford, Sims, Soward, Stansell, Strain, Toland, Vosburg, Waymire, Wright, and Mr Speaker—43.

NOES—Messrs. Arnerich and Gately—2.

Title read and approved.

Assembly Bill No. 735—An Act making an appropriation to pay the claim of Charles Nelson, arising upon a judgment recovered by said Nelson against the State of California, in the Superior Court of the City and County of San Francisco, on May 27, 1896.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Austin, Bridgford, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Foreman, Gately, Goff, Harris, Henry, Houghton, Hudson, Keables, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Price, Ryan, Sanford, Sims, Soward, Stansell, Strain, Toland, Vosburg, Waymire, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Senate Bill No. 642—An Act to pay the claim of the County of Santa Clara, 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. Aldridge, Arnerich, Austin, Breiling, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble, Dryden, Ennis, Foreman, Gately, Goff, Harris, Houghton, Hudson, Keables, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Price, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Toland, and Vosburg—42.

NOES—None.

Title read and approved.

Senate Bill No. 643—An Act to pay the claim of the County of Napa, 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 Aldridge, Arnerich, Austin, Breiling, Bridgford, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Foreman, Goff, Harris, Henry, Houghton, Hudson, Keables, Keegan, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, Power of Placer, Price, Ryan, Sims, Soward, Stansell, Strain, Toland, Vosburg, Waymire, and Mr. Speaker—44

NOES—None.

Title read and approved.

At nine o'clock and ten minutes P. M., the Speaker called Mr. Leavitt to the chair.

Assembly Bill No. 561—An Act to appropriate $7,082, to pay the claim of Francis Williams, for services rendered the State of California as an Irrigation Commissioner.

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. Ennis moved a call of the House.

Lost.

The result of the roll call was announced, and the bill refused final passage by the following vote:

AYES—Messrs Arnerich, Austin, Breiling, Canavan, Cutter, Damon, Dibble, Goff, Harris, Henry, Hudson, Kelsey, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Mulcrevy, Power of Placer, Price, Shanahan, Sims, and Soward—23.

NOES—Messrs Aldridge, Belshaw, Bridgford, Chynoweth, Cross, Dryden, Elliott, Ennis, Foreman, Houghton, Keables, Keegan, Lindenberger, Melick, McClellan, North of Alameda, Rubell, Stansell, Toland, Vosburg, Waymire, and Wright—22.

NOTICE OF RECONSIDERATION.

Mr. Ennis gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 561 was refused final passage.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 717—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. Aldridge, Austin, Belshaw, Bridgford, Canavan, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Goff, Harris, Houghton, Hudson, Keables, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Mulcrevy, McClellan, North of Alameda, Price, Rubell, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Toland, Waymire, Wright, and Mr. Speaker—41.

NOES—Messrs. Arnerich, Chynoweth, and Melick—3.

Title read and approved.

Assembly Bill No. 958—An Act to repay and reimburse John C. Pelton for money expended and for services rendered in establishing the first free public school in the State of California.

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. Cutter moved a call of the House.

So ordered.

Mr. Cutter moved that further proceedings under 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 Aldridge, Arnerich, Austin, Caminetti, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Foreman, Gately, Goff, Harris, Henry, Houghton, Hudson, Jones, Keables, Kelly, Kelsey, Landsborough, Leavitt, Mahoney,

Malcolm, Melick, Mulcrevy, Pohlmann, Power of Placer, Price, Rubell, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Vosburg, and Mr. Speaker—42.

NOES—Messrs. Belshaw, Boone, Bridgford, Keegan, Lindenberger, McClellan, North of Alameda, and North of Yolo—8.

Title read and approved.

MOTION.

Mr. Canavan moved that the rules be suspended, and the Assembly now reconsider the vote whereby Assembly Bill No. 161 was refused final passage.

So ordered.

Assembly Bill No. 161—An Act to pay the claim of W. H. Donnelly against the State of California, and making an appropriation therefor.

The roll was called, and pending the announcement of the result, Mr. North, of Alameda, moved a call of the House.

So ordered.

Mr. Belshaw moved that further proceedings under call of the House be dispensed with.

Lost.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Austin, Belshaw, Boone, Breiling, Bridgford, Caminetti, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Foreman, Gately, Goff, Harris, Houghton, Jones, Keables, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Rubell, Shanahan, Sims, Soward, Strain, Toland, Vosburg, Waymire, and Wright.

Mr. Caminetti moved that further proceedings under 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. Aldridge, Arnerich, Austin, Breiling, Burnett, Caminetti, Canavan, Cross, Cutter, Damon, Dibble, Dryden, Ennis, Gately, Goff, Harris, Henry, Houghton, Jones, Keables, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Mulcrevy, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Sanford, Shanahan, Sims, Soward, Strain, Toland, Vosburg, Waymire, Wright, and Mr. Speaker—46.

NOES—Messrs. Belshaw, Boone, Bridgford, Chynoweth, Elliott, Foreman, Lindenberger, Melick, Rubell, and Stansell—10.

Title read and approved.

Mr. Dibble moved that the Assembly now take up Assembly Bill No. 606.

So ordered.

Assembly Bill No. 606—An Act to amend Section 536 of the Civil Code.

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. Austin, Boone, Bridgford, Burnett, Chynoweth, Cross, Cutter, Dryden, Goff, Harris, Hill, Hudson, Jones, Landsborough, Leavitt, Lindenberger, Mead, Melick, Mulcrevy, North of Alameda, North of Yolo, Power of Placer, Price, Shanahan, Sims, Soward, Strain, Waymire, and Wright—29.

NOES—Messrs. Aldridge, Belshaw, Breiling, Burnham, Caminetti, Dibble, Elliott, Foreman Houghton, Keables, Keegan, McClellan, Sanford, Stansell, Toland, and Vosburg—16.

NOTICE OF RECONSIDERATION.

Mr. Dibble gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 606 was refused final passage.

MOTIONS.

Mr. Price moved to take up Senate Bill No. 359 and place it on its second reading.

So ordered.

Senate Bill No. 359—An Act to provide for the fencing of the farm property, the further equipment of the farm, and for the laying out and care of the grounds at the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Read second time.

Ordered on Senate special file for third reading.

Mr. Sanford moved to reconsider the vote whereby Senate Bill No. 113 was refused final passage.

So ordered.

Mr. Bridgford moved to postpone further consideration of Senate Bill No. 113 until to-morrow, and that it take its place on Senate file.

So ordered.

At ten o'clock and fifteen minutes P. M., the Speaker resumed the chair.

Mr. Mead moved that the Assembly take up the special file of eighty bills and consider them to-night.

So ordered.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 897—An Act to authorize the Governor to employ an agent to collect certain claims due the State of California by the United States, and to provide compensation for such services.

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. Austin, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Cutter, Elliott, Ennis, Foreman, Goff, Hill, Houghton, Hudson, Jones, Keables, Kelsey, Landsborough, Leavitt, Mahoney, Mead, Mulcrevy, Price, Sims, Soward, Stansell, Waymire, and Wright—30.

NOES—Messrs. Anderson, Arnerich, Belshaw, Boone, Dibble, Harris, Henry, Lindenberger, Melick, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Strain, Vosburg, and Mr. Speaker—16.

NOTICE OF RECONSIDERATION.

Mr. Power, of Placer, gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 897 was refused final passage.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 389—An Act making an appropriation for the erection of an additional building for the State Normal School 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. Anderson, Arnerich, Austin, Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cutter, Dibble, Ennis, Foreman, Goff, Harris, Henry, Houghton, Hudson, Jones, Keables, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, North of Alameda, Pohlmann, Power of Placer, Price, Sanford, Sims, Soward, Stansell, Strain, Toland, Vosburg, Waymire, Wright, and Mr. Speaker—42

NOES—Messrs. Chynoweth, Cross, Gately, and Hill—4.

Title read and approved.

Senate Bill No. 604—An Act to repeal an Act entitled "An Act imposing a tax on the issue of certificates of stock corporations," approved April 1, 1878.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Cutter, Dibble, Elliott, Ennis, Foreman, Goff, Harris, Henry, Hill, Hudson, Jones, Keables, Kelsey, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, North of Alameda, North of Yolo, Power of Placer, Price, Sims, Soward, Stansell, Strain, Toland, Vosburg, Wright, and Mr Speaker—41.

NOES—Messrs. Houghton and Waymire—2.

Title read and approved.

Assembly Bill No. 890—An Act to amend an Act entitled "An Act relating to commitments to the State School at Whittier and to the Preston School of Industry, fixing the authority to examine and to 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 responsibilities 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. Anderson, Arnerich, Austin, Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Dibble, Ennis, Foreman, Goff, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Pohlmann, Power of Placer, Power of San Francisco, Price, Sanford, Sims, Soward, Stansell, Strain, Toland, Vosburg, Wright, and Mr. Speaker—43.

NOES—Mr. Waymire—1.

Title read and approved.

Senate Bill No. 647—An Act to authorize the Governor to employ agents to collect certain claims due the State of California by the United States, and to provide compensation for such services.

Passed on file.

Assembly Bill No. 608—An Act appropriating money to pay the expenses of preparing, forwarding, installing, maintaining, taking down, and returning an exhibit of the products of the State of California at the Trans-Mississippi and International Exposition, to be held in Omaha, in 1898, and to provide for a commission and its expenses, a secretary of such commission, and the compensation of the secretary thereof.

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. Mead moved a call of the House.

Lost.

The Speaker then announced the result of the roll call, and the bill was refused passage by the following vote:

AYES—Messrs. Arnerich, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Foreman, Goff, Harris, Henry, Jones, Keables, Kelsey, Lindenberger, Mahoney, Malcolm, Mead, Melick, Pohlmann, Power of Placer, Sims, Soward, Strain, Toland, Vosburg, Waymire, and Wright—28

NOES—Messrs Anderson, Austin, Belshaw, Boone, Bridgford, Clarke, Dibble, Elliott, Ennis, Gately, Hill, Houghton, Hudson, Leavitt, Price, Sanford, and Mr. Speaker—17.

Substitute for Senate Bill No. 689—An Act to promote the horticultural interests of the State by providing County Boards of Horticulture, and repealing the Act entitled "An Act to protect and promote the horticultural interests of the State," approved March 14, 1881, and certain Acts amendatory thereof, approved March 19, 1889, and 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 Anderson, Austin, Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Dibble, Elliott, Ennis, Foreman, Gately, Goff, Harris, Hill, Houghton, Hudson, Jones, Keables, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Pohlmann, Power of Placer, Price, Shanahan, Sims, Soward, Stansell, Strain, Toland, Vosburg, Waymire, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

ADJOURNMENT.

At eleven o'clock and ten minutes P. M., on motion of Mr. Wright, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 18, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

The roll was called, and the following members answered to their names:

Messrs. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Keables, Keegan, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Tuesday, March 16th, was approved as corrected.

MOTIONS.

Mr. Belshaw moved that the report of the committee on the Examiner's charges, as published in yesterday's Journal, be adopted.

So ordered.

Mr. Gately moved that the Assembly do now reconsider the vote whereby Senate Bill No. 507 was on yesterday refused final passage.

Motion lost.

Mr. Hill moved to reconsider the vote by which Assembly Bill No. 582 was refused final passage on last legislative day.

So ordered.

Assembly Bill No. 582—An Act making an appropriation for the purpose of dredging Humboldt Bay, and naming the commissioners who shall have charge thereof.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, Mr. Hill moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Arnerich, Austin, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Clarke, Cross, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Keables, Keegan, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, McGrath, North of Yolo, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Toland, Vosburg, Waymire, and Mr. Speaker.

Mr. Mead moved that further proceedings under call of the House be dispensed with.

Lost.

Warrants were issued for the following members, and the Sergeant-at-Arms was directed to bring them before the bar of the House: Messrs. Allen, Anderson, Breiling, Caminetti, Canavan, Cartwright, Chynoweth, Cutter, Dennery, Goodhue, Kelly, Jones, Mulcrevy, McCandlish, North of Alameda, Pohlmann, Sanford, Treacy, Valentine, and Wright.

Mr. Leavitt moved that further proceedings under call of the House be dispensed with.

Lost.

Mr. Dibble was brought before the bar of the House by the Sergeant-at-Arms, and upon motion of Mr. Leavitt he was excused.

Mr. Leavitt moved that further proceedings under call of the House be dispensed with.

So ordered.

The Speaker then announced the result of the roll call, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Austin, Belshaw, Bettman, Burnett, Burnham, Caminetti, Canavan, Cross, Cutter, Damon, Dibble, Dolan, Ennis, Fontana, Gately, Godfrey, Goff, Guy, Harris, Henry, Hill, Jones, Keables, Kelsey, Lacy, Landsborough, Leavitt, Malcolm, McGrath, Pohlmann, Power of Placer, Power of San Francisco, Price, Ryan, Sims, Soward, Stansell, Strain, Valentine, Wright, and Mr. Speaker—42.

NOES—Messrs. Aldridge, Boone, Bridgford, Dryden, Elliott, Foreman, Houghton, Hudson, Keegan, Lindenberger, Mahoney, Mead, Melick, McClellan, North of Yolo, Rubell, Shanahan, Toland, Vosburg, and Waymire—20.

Title read and approved.

SPECIAL ORDERS.

Assembly Bill No. 354— An Act entitled an Act to amend Section 1196 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. Aldridge, Arnerich, Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cross, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Foreman, Gately, Goff, Henry, Hill, Houghton, Hudson, Jones, Keables, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Ryan, Shanahan, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, and Mr. Speaker—50.

NOES—Messrs. Anderson and Keegan—2.

Title read and approved.

Assembly Bill No. 973—An Act to amend Section 1094 of the Political Code.

Passed on file.

Assembly Constitutional Amendment No. 9—Proposed amendment to Section 7 of Article I of the Constitution, relative to juries.

Passed on file.

Assembly Bill No. 901—An Act providing for the relief of John J. Conlin, authorizing and empowering the Board of Supervisors of the City and County of San Francisco to order paid to said Conlin, his assigns or legal representatives, the amount of money which they may find to be due the said Conlin for work performed and material furnished on the public street, sidewalk, and sewers of the City and County of San Francisco, as shown by the books kept by the Superintendent of Public Streets and Highways of said city and county, and directing the Auditor of said city and county to audit the demand of said Conlin for said amount as found by said Supervisors, and issue his warrant therefor, and the Treasurer of said city and county to pay said warrant.

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. Anderson, Boone, Burnett, Canavan, Cutter, Damon, Dibble, Ennis, Fontana, Goff, Harris, Henry, Jones, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Pohlmann, Power of San Francisco, Price, Rubell, Ryan, Shanahan, Sims, Soward, Stansell, Toland, and Wright—30.

NOES—Messrs. Aldridge, Dryden, Elliott, Foreman, Gately, Godfrey, Houghton, Hudson, Keables, Keegan, Melick, McClellan, North of Yolo, Strain, Valentine, Vosburg, and Mr. Speaker—17.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 577—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the western 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: Reëngrossed Assembly Constitutional Amendment No. 9—To amend Section 7 of Article I, relative to juries.

AUSTIN, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 18, 1897

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 16th day of March adopted Senate Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to Section 18 of Article XI of the Constitution, in relation to revenue and taxation.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

SENATE CONSTITUTIONAL AMENDMENT No. 41.

A resolution to propose to the people of the State of California an amendment to Section 18 of Article XI of the Constitution, in relation to revenue and taxation.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the fourth day of January, eighteen hundred and ninety-seven, two thirds of the members elected to each of the two houses voting in favor thereof, hereby proposes that section eighteen of article eleven of the Constitution of the State of California be amended so as to read as follows:

Section 18. No county, city, town, township, board of education, or school district, shall incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for it for such year, without the assent of two thirds of the qualified electors thereof, voting at an election to be held for that purpose, unless before or at the time of incurring such indebtedness, provision shall be made for the collection of an annual tax sufficient to pay the interest of such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same; *provided, however*, that the City and County of San Francisco may at any time pay the unpaid claims with interest thereon for materials furnished to and work done for said city and county during the forty-third and forty-fourth fiscal years, out of the income and revenue of any succeeding year or years

Any indebtedness or liability incurred contrary to this provision, with the exception hereinbefore recited, shall be void

The roll was called, and the constitutional amendment adopted by the following vote:

AYES—Messrs. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Harris, Henry, Houghton, Hudson, Jones, Keables, Keegan, Lacy, Landsborough, Leavitt, Malcolm, Mead, Melick, Mulcrevy, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Sims, Soward, Stansell, Strain, Toland, Valentine, Waymire, and Wright—55.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 16th day of March passed Assembly Bill No. 194—An Act to amend Section 1187 of the Code of Civil Procedure, concerning the filing of mechanics' lien

Also: On the 17th day of March amended, and passed as amended, Assembly Bill No. 875—An Act to create a commission for the purpose of examining, testing, and investigating voting machines, and reporting to the Legislature, at its thirty-third session, the result of such investigation, and making an appropriation for the expenses of such commission

Also: Assembly Bill No. 361—An Act entitled an Act to amend the Political Code by adding a new section, requiring the State and subdivisions of the State to give preference to goods manufactured or produced in the State, when contracting for or purchasing goods or other property.

Also: Assembly Bill No 66—An Act to enable cities incorporated and operating under a charter framed under Section 8, Article XI, of the Constitution, to abandon and annul such charter, and organize under general laws.

Also: Passed Assembly Bill No. 144—An Act to secure the payment of the claims of materialmen, mechanics, or laborers employed by contractors upon State, municipal, or other public work

Also: Passed Assembly Bill No. 860—An Act to provide for the dredging and improvement of Alviso Slough, and to appropriate money therefor.

F. J. BRANDON, Secretary
By G. W. MCINTYRE, Assistant

Assembly Bill No. 194 ordered to enrollment.

At eleven o'clock and ten minutes A. M., Speaker Coombs called Mr. North, of Alameda, to the chair.

At eleven o'clock and fifteen minutes A. M., Speaker Coombs resumed the chair.

Assembly Bill No. 361—An Act entitled an Act to amend the Political Code by adding a new section, requiring the State and subdivisions of the State to give preference to goods manufactured or produced in the State, when contracting for or purchasing goods or other property.

The following Senate amendments were submitted:

Amend by adding, after the word "mark," line 17, the words "nor any patent apparatus or appliance"

Also: Insert in line 3, after the figure 3, "Section 3247," and make title read "An Act to add a new section to the Political Code, to be known as Section 3247½."

The question being, "Shall the Assembly concur in the Senate amendments to Assembly Bill No. 361?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs Anderson, Arnerich, Austin, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Clarke, Cross, Dibble, Dolan, Elliott. Ennis, Fontana, Gately, Godfrey, Goff, Harris, Henry, Houghton, Hudson, Keables, Kelsey, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Sims, Soward, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr Speaker—49

NOES—None.

Assembly Bill No. 361 ordered to enrollment.

Assembly Bill No. 875—An Act to create a commission for the purpose of examining, testing, and investigating voting machines, and reporting to the Legislature, at its thirty-third session, the result of such investigation, and making an appropriation for the expenses of such commission.

The following Senate amendments were submitted:

Amend by striking out of Section 5, line 1, the words "one thousand," and inserting the following. "five hundred."

Also Amend by striking out of Section 5 lines 5 and 6, and the words "all claim against this," in line 4 of said section

Also: Amend by striking out of Section 2 lines 1 to 5, and the word "elected" in line 6, and inserting the following:

SEC 2 The State Board of Examiners shall receive no salary as such commissioners.

Also: Amend by striking out Section 3, and renumber Sections 4, 5, and 6.

Also: Amend by striking out of Section 1 all of said section after the word "of," in line 6, and inserting in lieu thereof the following: "the State Board of Examiners."

Also: Amend by inserting in Section 4, line 2, after the word "to" the words "the chairman of the Board of Supervisors of the different counties and cities and counties within this State and to."

The question being, "Shall the Assembly concur in the Senate amendments to Assembly Bill No. 875?"

The Assembly refused to concur.

Mr. North moved that a message be transmitted to the Senate asking them to recede from their amendments to Assembly Bill No. 875.

So ordered.

Assembly Bill No. 66—An Act to enable cities incorporated and operating under a charter framed under Section 8, Article XI, of the Constitution, to abandon and annul such charter, and organize under general laws.

The following Senate amendments were submitted:

Amend by striking out of Section 1, lines 4 and 5, the words "in their judgment there is sufficient reason therefor" and inserting in lieu thereof the following: "a petition is presented to them signed by one half of the qualified electors of such city"

Also: Amend by striking out of Section 1, line 12, the words "three fifths" and inserting in lieu thereof the following: "two thirds."

Also: Amend by inserting in Section 1, line 19, after the word "under," the words: "In case such proposition shall fail to receive the vote of two thirds of such electors, then the proposition for the abandonment of such charter and reorganization under the general laws shall not be again submitted for two years."

The question being, "Shall the Assembly concur in the Senate amendments to Assembly Bill No. 66?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Aldridge, Anderson, Arnerich, Belshaw, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Clarke, Cross, Damon, Dolan, Elliott, Ennis, Fontana, Foreman, Goff, Guy, Harris, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Yolo, Pohlmann, Power of Placer, Price, Rubell, Soward, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—48

NOES—None

Assembly Bills Nos. 66, 144, and 860 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 17th day of March refused second reading to Assembly Bill No. 739—An Act to amend Section 199 of the Code of Civil Procedure, relative to the disqualification of jurors

Also: To Assembly Bill No. 867—An Act to amend Section 647 of the Penal Code of California.

Also: Withdrew from file, by request of Senator Bulla, Assembly Bill No. 187—An Act appropriating the sum of $5,000 for repairs and improvements in the State Normal School at Los Angeles, California.

Also: Passed Senate Bill No 453—An Act relative to the granting by counties and municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles.

F. J BRANDON, Secretary.

Senate Bill No. 453—An Act relative to the granting by municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles.

Read first time, and ordered on special urgency file of eighty bills.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 16th day of March 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 Section 5 of Article XI, relative to the compensation of county and township officers.

Also: Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the Constitution, by adding to Article XX thereof a new section, to be known as Section 21, relating to dividing the State into fish and game districts.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Senate Constitutional Amendments Nos. 13 and 18 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 17th day of March passed Assembly Bill No. 243—An Act making an appropriation to pay the deficiency in the appropriation for payment of the expenses incurred in calling the National Guard of California into service, by order of the Governor, in 1894.

Also: Assembly Bill No. 15—An Act to appropriate $1,535 25 to pay the claim of W. W. Foote and Garrett W. McEnerney for legal services rendered and expenses incurred by them in that certain action commenced in and decided by the Supreme Court of the State of California, and which was therein entitled "The People of the State of California, on relation of John C. Lynch, petitioner, vs James H Budd, respondent," and numbered S F. No. 600.

Also: Assembly Bill No. 521—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as instructress and silk expert.

Also: Assembly Bill No. 229—An Act making an appropriation to pay the claim of Sarah H. Wing, for the killing of her husband, O. H. Wing.

Also: Assembly Bill No 529—An Act to amend an Act entitled "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," approved March 26, 1895

Also: Assembly Bill No. 303—An Act to authorize the Board of Fish Commissioners to purchase or construct a gasoline launch, to aid in carrying out the purposes of said board, and appropriating money therefor.

F. J. BRANDON, Secretary

Assembly Bills Nos. 243, 15, 521, 229, 529, and 303 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 17th day of March passed Senate Bill No 468—An Act to amend Sections 435, 1593, and 1858 of the Political Code of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and to add two new sections to said Code, to be known as Sections 1675 and 1705, relating to kindergartens.

F. J. BRANDON, Secretary.

Senate Bill No. 468—An Act to amend Sections 435, 1593, and 1858 of the Political Code of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and to add two new sections to said Code, to be known as Sections 1675 and 1705, relating to kindergartens.

Read first time, and ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 15th day of March refused passage to the following:

Assembly Bill No. 320—An Act making an appropriation to pay the expenses of experts and the costs and expenses of litigation of the suit now pending in the Circuit Court of the United States for the Northern District of California, wherein the Southern Pacific Company is plaintiff and the Board of Railroad Commissioners is defendant.

Also: On the 17th day of March amended, and passed as amended, Assembly Bill No. 362—An Act entitled an Act to amend the Political Code by adding a new section, prohibiting the imposing of a license upon any person soliciting orders for the sale of any article manufactured or produced in this State which, under the laws of the United States, cannot be legally imposed upon persons soliciting orders for the sale of like articles manufactured in any of the States of the United States

Also: Assembly Bill No. 160—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

F. J. BRANDON, Secretary.

Assembly Bill No. 362—An Act entitled an Act to amend the Political Code by adding a new section, prohibiting the imposing of a license upon any person soliciting orders for the sale of any articles manufactured or produced in this State which, under the laws of the United States, cannot be legally imposed upon persons soliciting orders for the sale of like articles manufactured in any of the States of the United States.

The following Senate amendments were submitted:

Amend by striking out all of line 1 and to and including the semicolon on line 2, and inserting in lieu thereof:

SECTION 1. A new section is hereby added to the Political Code, to be known as section thirty-two hundred and forty-nine.

Also: After "State," on line 4 of printed bill, insert "and who sells exclusively to the trade."

The question being, "Shall the Assembly concur in Senate amendments to Assembly Bill No. 362?"

The Assembly refused to concur.

Mr. Leavitt moved that a message be immediately transmitted to the Senate, and that they be requested to recede from their amendments.

So ordered.

Assembly Bill No. 160—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

The following Senate amendment was submitted:

Strike out "ten thousand two hundred and twenty-five," and insert instead thereof "five thousand," wherever it may appear in Sections 1 and 2.

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. Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dibble, Dolan, Elliott, Ennis, Foreman, Gately, Godfrey, Goff, Harris, Henry, Houghton, Hudson, Keables, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Price, Rubell, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Wright, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 160 ordered to enrollment.

MOTION.

Mr. Clarke moved that Assembly Bill No. 981 be reported back by the Committee on Engrossment and considered correctly engrossed.

So ordered.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 18, 1897

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 18th day of March amended, and passed as amended, Assembly Bill No. 984—An Act making an appropriation to pay for the expenses incurred by Assembly Concurrent Resolution No. 6, appointing a joint committee of the Senate and Assembly to investigate the affairs of the State Printing Office.

F. J. BRANDON, Secretary.

Assembly Bill No. 984—An Act making an appropriation to pay for the expenses incurred by Assembly Concurrent Resolution No. 6, appointing a joint committee of the Senate and Assembly to investigate the affairs of the State Printing Office.

The following Senate amendment was submitted:

Amend by adding to Section 1, "All such claims or expenses are hereby specially exempted from the provisions of Section 672 of the Political Code."

The question being, "Shall the Assembly concur in the Senate amendment to Assembly Bill No. 984?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Aldridge, Anderson, Arnerich, Austin, Bridgford, Burnham, Caminetti, Cross, Damon, Dibble, Dolan, Elliott, Ennis, Foreman, Goff, Harris, Henry, Houghton, Hudson, Keables, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Price, Rubell, Ryan, Sims, Soward, Strain, Valentine, Vosburg, Wright, and Mr. Speaker—44.

NOES—None.

Assembly Bill No. 984 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 18th day of March amended, and passed as amended, Assembly Bill No 937—An Act

making appropriations for the support of the government of the State of California, for the forty-ninth and fiftieth fiscal years.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California, for the forty-ninth and fiftieth fiscal years.

The Senate amendments being taken up, each and every one thereof, beginning with No. 1 and including No. 48, was duly considered, and the House refused to concur in each and every one of said amendments, and it was ordered that the Senate be requested to recede from their amendments.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 259—An Act to appropriate money for the uses 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 Aldridge, Anderson, Arnerich, Bettman, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dibble, Dolan, Elliott, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Harris, Henry, Houghton, Hudson, Keables, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, McGrath, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Sims, Soward, Strain, Toland, Valentine, Vosburg, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

MOTION.

Mr. Leavitt 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 Aldridge, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Goff, Harris, Henry, Houghton, Hudson, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, Pohlmann, Power of Placer, Price, Rubell, Sims, Soward, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—54.

NOES—None.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 981—An Act for the establishment of a uniform system of road government and administration in the counties of the State of California.

AUSTIN, Chairman

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Leavitt: Assembly Bill No. 989—An Act making an appropriation for printing expenses of the thirty-second session of the Legislature.

Read first time, and ordered to printer.

Mr. Leavitt moved that the State Printer be instructed to print Assembly Bill No. 989 out of order, and return it as soon as possible.

So ordered.

MOTION.

Mr. Clarke moved that the Assembly do now take up Assembly Bill No. 981.

So ordered.

Assembly Bill No. 981—An Act for the establishment of a uniform system of road government and administration in the counties of the State of California.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dryden, Elliott, Ennis, Fontana, Foreman, Gately, Godfrey, Goff, Houghton, Hudson, Keables, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, Pohlmann, Power of Placer, Price, Rubell, Sims, Soward, Strain, Toland, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

MOTIONS.

Mr. Landsborough moved to reconsider the vote whereby Assembly Bill No. 293 was refused final passage.

Mr. Price moved to postpone the consideration of Mr. Landsborough's motion until three o'clock P. M.

So ordered.

Mr. Caminetti moved that the Assembly do now take up for consideration the special urgency file of eighty bills, and that the members be allowed to substitute Senate bills where they have Assembly bills on the same.

So ordered.

RECESS.

Mr. Dibble moved that the hour of recess be postponed until one o'clock and forty-five minutes P. M.

So ordered.

At one o'clock and forty-five 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 Coombs in the chair.

MOTION.

Mr. Wright moved that Senate Bill No. 612 be placed on special urgency file of eighty, and considered at this time.

So ordered.

SPECIAL URGENCY FILE.

Senate Bill No. 612—An Act to amend Section 7 of "An Act authorizing corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations," approved April 6, 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. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Caminetti, Canavan, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Ennis, Fontana, Godfrey,

Goff, Harris, Henry, Houghton, Hudson, Jones, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, North of Alameda, North of Yolo, Power of Placer, Price, Ryan, Sims, Soward, Strain, Toland, Treacy, Valentine, Wright, and Mr. Speaker—43.

NOES—Messrs. Boone, Foreman, Keegan, Landsborough, and Sanford—5.

Title read and approved.

Mr. Price called up for consideration the following resolution:

Resolved, That the sum of five 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*. The Chief Clerk and the two statutory Assistant Clerks shall remain over at the State Capitol after the adjournment of the thirty-second session of the Legislature, for a sufficient time to complete a final copy of the Assembly 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.

Mr. Price offered the following as a substitute:

Resolved, That the sum of three hundred and sixty dollars be and is hereby directed to be paid to the following named clerks at the desk: S. J. Duckworth, W. G. Hawkett, Clark Alberti, E. A. Morse, R. Q. Wickham, Charles Orr, H. F. Peart, H. D. Pohlmann, C. W. Kyle, R. Nixon, Jr., T. W. Harris, and Andrew Branch, and that the Controller shall and he is hereby directed to draw his warrant for the sum of thirty dollars each in favor of said above-named clerks, on the Contingent Fund of the Assembly, and the Treasurer is directed to pay the same; said sum to be used to complete the work pertaining to the office of Chief Clerk of this Assembly after the adjournment *sine die*. The Chief Clerk and the Assistant Clerks shall remain over at the State Capitol after the adjournment of the thirty-second session of the Legislature for a sufficient time to complete a final copy of the Assembly 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 twenty-five 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.

Read and referred to Committee on Attachés and Employés.

Senate Bill No. 136—An Act to establish a uniform system of county and township governments.

Report of committee on conference on Senate Bill No. 136 was considered.

PREVIOUS QUESTION.

Pending consideration of the report, the previous question was demanded by Messrs. Cross, Cutter, and Ennis.

So ordered.

The question being on the adoption of the report of the committee of conference on Senate Bill No. 136.

The same was adopted.

Mr. Caminetti moved to reconsider the vote whereby the report of the committee of conference was just adopted.

So ordered.

On motion of Mr. Caminetti, the report of the conference committee

on Senate Bill No. 136 was re-referred to said committee for further consideration.

At three o'clock and fifty minutes P. M., Speaker Coombs called Mr. North, of Alameda, to the chair.

Senate Bill No. 647—An Act to authorize the Governor to employ agents to collect certain claims due the State of California by the United States, and to provide compensation for such services.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Anderson, Austin, Bettman, Bridgford, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Ennis, Foreman, Godfrey, Goff, Harris, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mulcrevy, McGrath, North of Alameda, Power of Placer, Price, Rubell, Shanahan, Sims, Stansell, Strain, Toland, Treacy, and Waymire—45.

NOES—Messrs. Belshaw, Boone, Mead, Melick, and McClellan—5.

Title read and approved.

Assembly Bill No. 626—An Act legally defining what a miner's inch of water shall consist of.

Mr. Caminetti moved that he be allowed to substitute Senate Bill No. 340 for Assembly Bill No. 626.

In support of his rights in the matter, Mr. Caminetti submitted the following telegram:

GRASS VALLEY, CAL., March 17, 1897.

Hon. A. CAMINETTI, *Assembly Chamber*:

You may substitute your bill for mine. Wish you success.

W. S. ROBINSON.

The substitution was ordered.

UNFINISHED BUSINESS.

Senate Bill No. 340—An Act to provide for the purchase of additional land for 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 Aldridge, Anderson, Arnerich, Belshaw, Boone, Bridgford, Caminetti, Canavan, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Ennis, Fontana, Godfrey, Goff, Harris, Houghton, Hudson, Keables, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, Power of Placer, Price, Ryan, Shanahan, Sims, Stansell, Strain, Toland, Treacy, and Waymire—45

NOES—None.

Title read and approved.

RESOLUTION.

By Mr. Belshaw:

Resolved, That the Journal Clerk of the Assembly, and Assistant Journal Clerks J. M. Oliver and Marshall Black, be and they are hereby employed after the final adjournment of the Assembly, for the purpose of completing the work devolving upon them as Journal Clerks of the Assembly, in comparing the bound copies of the Journal, and in arranging and properly sealing the original minutes, and turning over to the State all the property belonging thereto; and that they be allowed the sum of fifty-six dollars each 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 persons for the said amount, and the Treasurer is instructed to pay the same.

Referred to Committee on Attachés and Employés.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1897

MR SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 977—An Act to amend Section 170 of the Code of Civil Procedure.

Also: Assembly Bill No. 983—An Act in relation to elections held under the authority of Section 8 of Article XI of the Constitution, to elect boards of freeholders, or to vote upon proposed charters or upon amendments to existing charters.

Also: Assembly Bill No. 986—An Act appropriating money to pay the expenses of conducting investigation into charges of bribery in connection with the passage of Assembly Bill No 273

Also: Assembly Bill No. 225—An Act making an appropriation to pay the claim of Clarence S. Merrill, for services as reporter in a court of inquiry of the National Guard of the State of California.

Also: Assembly Bill No. 839—An Act making an appropriation to pay the claim of Marion Pirkey, for moneys advanced to the National Guard of California

Also: Assembly Bill No. 987—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-second session of the Legislature

Also: Assembly Bill No. 623—An Act to amend Sections 350, 351, and 354 of the Penal Code of the State of California, relating to the punishment of counterfeiting trademarks, and the sale of goods bearing counterfeited trademarks, and other infringements of the rights of trademarks.

Also: Assembly Bill No. 247—An Act making an appropriation to pay the claim of the Daily Report Publishing Company, for advertising the constitutional amendments.

Also: Assembly Bill No. 694—An Act authorizing municipal corporations to lease, purchase, own, and operate gravel-beds and quarries, and to transport gravel and rock therefrom to such municipal corporations for the purpose of making, improving, and repairing roads

Also: Assembly Bill No. 943—An Act to repeal an Act entitled "An Act regulating the sale of mineral lands belonging to the State," approved March 28, 1874, and the Acts amendatory thereof, and to provide for the sale of mineral lands under United States laws.

Also: Assembly Bill No. 730—An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes.

Also: Assembly Concurrent Resolution No 13—Relative to the absence of the Governor from the State for a period not to exceed six months.

And presented the same to the Governor on this day, at two o'clock and twenty-five minutes P. M.

FONTANA, Chairman.

MOTION.

Mr. Landsborough moved that the vote by which the enacting clause was stricken out of Senate Bill No. 293 be reconsidered.

So ordered.

The question being on the amendment of Mr. Cutter to strike out the enacting clause of Senate Bill No. 293.

The roll was called, and the enacting clause stricken out by the following vote:

AYES—Messrs. Aldridge, Austin, Boone, Bridgford, Burnett, Caminetti, Canavan, Clarke, Cross, Cutter, Dibble, Dolan, Dryden, Elliott, Ennis, Foreman, Godfrey, Goff, Houghton, Jones, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McGrath, Power of Placer, Rubell, Ryan, Shanahan, Sims, Strain, Toland, Treacy, and Waymire—36.

NOES—Messrs. Anderson, Arnerich, Belshaw, Bettman, Damon, Dennery, Harris, Henry, Hudson, Kelsey, Lindenberger, Malcolm, Melick, McClellan, North of Alameda, North of Yolo, Pohlmann, Price, Soward, and Valentine—20.

At three o'clock and thirty minutes P. M., Speaker Coombs resumed the chair.

RESOLUTION—(CASE OF URGENCY).

By Mr. Leavitt:

Resolved, That Assembly Bill No. 989 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

The roll was called, and pending the announcement of the result, Mr. Leavitt moved a call of the House.

So ordered.

Mr. Leavitt moved that further proceedings under call of the House be dispensed with.

So ordered.

The Speaker then announced the result of the roll call, and the resolution was adopted by the following vote:

AYES—Messrs. Aldridge, Anderson, Arnerich, Austin, Bettman, Boone, Bridgford, Canavan, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Foreman, Godfrey, Harris, Henry, Jones, Keegan, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Price, Rubell, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 989—An Act making an appropriation to pay the printing expenses of the thirty-second session of the Legislature.

Read second time.

Mr. Leavitt moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 989.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 989 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 989—An Act making an appropriation to pay the printing expenses of the thirty-second session of the Legislature—and now report the same back, and recommend that the same do pass.

COOMBS, Chairman.

Report adopted.

Assembly Bill No. 989—An Act making an appropriation to pay the printing expenses of the thirty-second 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. Aldridge, Anderson, Arnerich, Austin, Bridgford, Canavan, Clarke, Damon, Dennery, Dibble, Dryden, Elliott, Ennis, Fontana, Godfrey, Goff, Harris, Henry, Houghton, Hudson, Jones, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, McClellan, McGrath, North of Alameda, North of Yolo, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, and Mr. Speaker—44.

NOES—None.

Title read and approved.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 296—An Act to appropriate the sum of $295 85, to pay the claim of Tribune Printing Company against the State.

Mr. Price moved to substitute Senate Bill No. 271 for Assembly Bill No. 296 on the file.

So ordered.

Senate Bill No. 271—An Act to appropriate the sum of $295 85, to pay the claim of Tribune Printing Company 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. Aldridge, Anderson, Austin, Bettman, Bridgford, Caminetti, Canavan, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Godfrey, Goff, Harris, Houghton, Hudson, Jones, Keegan, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, McClellan, North of Alameda, North of Yolo, Pohlmann, Price, Ryan, Shanahan, Strain, Valentine, Vosburg, Waymire, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Mr. Leavitt moved that the Assembly do now take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 18, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 18th day of March passed Senate Bill No. 31—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: The Senate refused to recede from its amendments to Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California, for the forty-ninth and fiftieth fiscal years—and the following were appointed a committee on conference: Senators Voorheis, Aram, and Prisk, and respectfully request your honorable body to appoint a like committee.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Senate Bill No. 31—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 ordered on Senate special file.

Mr. Leavitt moved that a committee on conference be appointed, as per request of the Senate, to act on Assembly Bill No. 937.

So ordered.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 460—An Act to amend Sections 3465 and 3466 of the Political Code of the State of California, relating to the collection of assessments in reclamation districts of 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. Aldridge, Anderson, Austin, Belshaw, Bettman, Breiling, Bridgford, Caminetti, Clarke, Cross, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Godfrey, Goff, Houghton, Hudson, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Yolo, Pohlmann, Price, Ryan, Shanahan, Sims, Soward, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—44.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE ON CONFERENCE.

MR. SPEAKER: Your committee on conference, to whom was referred Senate Bill No. 136, have met a like committee from the Senate, consisting of Messrs. Smith, Pedlar, and Prisk, and beg to report as follows:

We recommend the Senate concur in the amendment to Section 9, lines 1 and 2, printed bill, as it passed the Assembly.

Also: That the Senate concur in amendment to Section 15, lines 5 to 10.

Also: That the Senate concur in amendments to Section 25, subdivision 4, lines 23 and 24, inclusive.

Also: That the Senate concur in amendment to Section 25, subdivision 4, line 27.

Also: That the Senate concur in amendment to Section 25, inserting subdivision 12½, lines 118½ to 127½, inclusive.

Also: That the Senate concur in the amendment to Section 25, subdivision 37, line 450.

Also: That the Assembly recede from its amendment whereby it struck out of Section 25, line 29, the following: "Adopt plans and specifications, strain sheets, and working details, and must."

Also: That the Assembly recede from its amendment whereby it inserted in Section 25, lines 28 and 30, the following, "Plans and specifications, strain sheets, working details and."

Also: That the Assembly recede from its amendment whereby it inserted in Section 25, all of lines 45½, beginning with the word "*provided*," and down to and including the word "dollars," in line 54.

Also: That the Assembly recede from its amendment whereby it struck out of Section 25, before the words "*provided further*," in lines 54 and 54½, the words, "*provided*, that the road commissioners or road overseers in their respective districts shall employ all labor required and direct the conduct of work of any kind upon any and all public roads."

Also: That the Senate concur in the amendment to Section 25, subdivision 38, lines 456 to 457, inclusive.

Also: That the Senate concur in the amendment to Section 54, lines 9 to 12, inclusive.

Also: That the Assembly recede from its amendment to Section 55, line 4, whereby it inserted the words "Assistant District Attorney."

Also: That the Senate concur in the amendment to Section 55, line 9.

Also: That the Senate concur in the amendment to Section 56, line 5.

Also: That the Senate concur in the amendment to Section 56, line 6.

Also: That the Senate concur in the amendment to Section 58, lines 1 to 2, inclusive.

Also: That the Senate concur in the amendment to Section 64, lines 5 to 9, inclusive.

Also: That the Senate concur in the amendment to Section 65, lines 5 and 6, inserting the words "except District Attorneys and Treasurers."

Also: That the Senate concur in the amendments to Section 139, whereby it inserted, in lines 10 and 11, the words "and all other," and in line 11 the words "and all Assessors' block books."

Also: That the Senate concur in the amendment to Section 141, whereby the Assembly added the words "also, all necessary expenses and transportation on work performed in the field."

Also: That the Assembly recede from its amendment whereby it struck out of Section 141 the following: "In lieu of fees, as now provided by law, the County Surveyor shall receive such compensation as the Board of Supervisors may allow, not to exceed 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."

Also: That the Senate concur in the amendment to Section 152, in lines 11 to 13, inclusive.

Also: That the Senate concur in all amendments in Section 158.

Also: That the Senate concur in all amendments in Section 159.

Also: That the Senate concur in all amendments in Section 160.

Also: That the Assembly recede from its amendment to Section 161, line 20, whereby it struck out, after the word "thousand," the word "two," and insert the word "six."

Also: That the Senate concur in all amendments to Section 162.

Also: That the Senate concur in all amendments to Section 164

Also: That the Assembly recede from its amendment to subdivision 12, Section 165, whereby it struck out the following: "The Surveyor, two thousand dollars per annum, which shall be in lieu of all fees and per diem now allowed by law," and substituted the following therefor: "The Surveyor shall receive ten dollars per day for all work performed by him in person for the county, and in addition thereto all necessary expenses and transportation for work performed in the field. There shall be, and there hereby is, allowed to the Surveyor one deputy, at a salary of twelve hundred dollars per annum, and such other help as the Board of Supervisors may allow." And that the Senate concur in all other amendments to Section 165.

Also: That the Senate concur in all the amendments to Section 186, except to the one in subdivision 4, from which the Assembly be asked to recede from its action whereby it struck out the following: "The Auditor, twelve hundred dollars per annum," and insert the following therefor: "The Auditor, twelve hundred dollars per annum. In counties of this class the office of Auditor shall not be consolidated with any other office, and where now consolidated, the Board of Supervisors shall segregate said office immediately upon the approval of this Act."

Also: That the Assembly recede from its amendment to Section 167, line 44, whereby it struck out, after the word "of," the word "six," and inserted the word "five."

Also: That the Assembly recede from its amendment to Section 169, line 10, whereby it inserted the words "the mileage allowed by law."

Also: That the Assembly recede from its amendment to Section 171, whereby it inserted all of lines 37 to 46 inclusive.

Also: That the Assembly recede from its amendment to Section 184, whereby it inserted all of lines 57 to 65, inclusive.

Also: That the Senate concur in all amendments to Section 189.

Also: That the Assembly recede from its amendments to Section 199, whereby it struck out of line 5 the word "six," and inserted "two"; and whereby it struck out lines 8 to 11, inclusive, as follows: "The Sheriff shall also receive for his own use and benefit all fees, commissions, and mileage, in all civil cases wherein his county, and all fees, commissions, and mileage for service of any papers issued by any court outside of his county"; and whereby it struck out of line 14 the words "one thousand," and inserted in lieu thereof the words "nine hundred."

And whereby it struck out of line 19 the words "two thousand," and inserted in lieu thereof "one thousand eight hundred"; and whereby it struck out of line 20 the word "five," and inserted in lieu thereof the word "two."

And whereby it struck out of lines 27 and 28 the following: "and he shall receive no extra compensation for his services on the Board of Education."

Also: That the Assembly recede from its amendments to subdivisions 13 and 14, Section 189.

Also: That the Assembly recede from amendment to Section 208.

Also: That the Senate concur in the amendment to Section 215 in lines 34 and 35.

Also: That the Senate concur in the amendment to subdivision 2, Section 228.

Also: That the Senate concur in the amendment to Section 233, lines 4 and 5.

Also: That the conference committee is unable to reach an agreement as regards Section 166, subdivision 15 of Section 173, and subdivision 6 of Sections 164, 177, 181, and 191, and recommend the appointment of a free conference committee to consider said sections.

Also: That the Senate concur in all Assembly amendments not specified in the foregoing report.

VALENTINE, Chairman.
JONES.
CAMINETTI.

Report refused adoption.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 530—An Act to amend Section 3493 of the Political Code of the State of California, relating to the dissolution of swamp land or reclamation districts.

Read second time, and ordered on file for third reading.

Assembly Bill No. 781—An Act to add a new section to the Political Code, to be known as Section 2681½, relating to roads and highways.

Mr. Bridgford moved that he be allowed to substitute Senate Bill No. 113 for Assembly Bill No. 781 on the file.

So ordered.

Senate Bill No. 113—An Act to amend Section 685 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 temporarily.

Assembly Bill No. 771—An Act to authorize municipalities to accept donations of and to set apart donations of public streets or parks for statues, monuments, and fountains.

Mr. Mahoney moved that he be allowed to substitute Assembly Constitutional Amendment No. 37 on the file for Assembly Bill No. 771.

So ordered.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 37.

To propose to the people of the State of California an amendment to the Constitution of the State, amending Article XI by adding a new section thereto, to be known as Section Number 5½, relating to consolidated city and county governments.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on the fourth day of January, eighteen hundred and ninety-seven, 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 new section, to be known as section number five and one half, which shall read as follows, to wit:

Section 5½. The provisions of sections four and five of this article shall not, nor shall any legislation passed pursuant thereto, apply to any consolidated city and county government now existing or hereafter formed which shall have become, or shall become organized under section seven, or secure a charter under section eight of this article.

The question being on the adoption of Assembly Constitutional Amendment No. 37.

The roll was called, and pending the announcement of the result, Mr. Dibble moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was being called.

Mr. Dibble moved that further proceedings under call of the House be dispensed with.

So ordered.

The Speaker then announced the result of the roll call, and the constitutional amendment was adopted by the following vote:

AYES—Messrs. Aldridge, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dryden, Elliott, Ennis, Fontana, Godfrey, Goff, Guy, Harris, Houghton, Hudson, Jones, Keegan, Kelly, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Yolo, Pohlmann, Power of Placer, Price, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—57.

NOES—None.

RESOLUTION.

By Mr. Bridgford:

WHEREAS, The frequent absence of members from their seats necessitates great delay in the progress of the business of the Assembly; and

WHEREAS, There is much business before this House which must receive its attention before its adjournment; now therefore, be it

Resolved, That no member shall absent himself from this evening's session without affirmative consent of the Speaker, given in open session.

Adopted.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 644—An Act to pay the claim of the County of Tehama, 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. Aldridge, Anderson, Austin, Belshaw, Bettman, Boone, Bridgford, Caminetti, Canavan, Chynoweth, Clarke, Cutter, Damon, Dibble, Dryden, Elliott, Ennis, Fontana, Goff, Guy, Harris, Houghton, Hudson, Jones, Keegan, Kelsey, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Ryan, Sims, Soward, Strain, Toland, Vosburg, Waymire, and Mr. Speaker—46.

NOES—None.

Title read and approved.

MOTION.

Mr. North, of Alameda, moved that a committee of free conference on Senate Bill No. 136 be appointed.

So ordered.

APPOINTMENT OF FREE CONFERENCE COMMITTEE.

The Speaker appointed Messrs. North, of Alameda, Dennery, and Burnett a free conference committee on Senate Bill No. 136.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 490—An Act to amend Sections 3629, 3633, 3651, 3653, 3658, 3678, 3681, 3738, 3746, 3795, 3820, 3821, 3825, 3826, and 3881 of the Political Code, relating to the general revenue of the State, and to property liable to assessment and taxation for the purposes of revenue, and the duties of taxpayers for the purpose of assessment of property and in the collection of taxes; and to add to the Political Code a new section, to be known as Section 3683, relating to the making of abstracts by the Register of Land Offices; and also a new section, to be known as Section 3831, relating to taxes on mortgage interest on personal property, and providing the time of the payment of the same, and the means of forced collection of the same.

Mr. Sims moved to substitute Senate Bill No. 700 for Assembly Bill No. 490 on the file.

So ordered.

Senate Bill No. 700—An Act providing an appropriation for the improvement of and repairs to Sutter's Fort and grounds.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Anderson, Austin, Belshaw, Breiling, Bridgford, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Goff, Harris, Houghton, Hudson, Jones, Keegan, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, North of Alameda, North of Yolo, Power of Placer, Price, Ryan, Sims, Soward, Strain, Vosburg, Waymire, and Mr. Speaker—44.

NOES—Mr. Boone—1.

Title read and approved.

Assembly Bill No. 857—An Act to amend Sections 2528 and 2552 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the San Francisco and State Harbor Commissioners, approved March 19, 1889.

Mr. Melick moved that he be allowed to substitute Senate Bill No. 453 for Assembly Bill No. 857.

Senate Bill No. 453—An Act relative to the granting by municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles.

Passed on file.

Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution, in relation to sessions of the Legislature.

Passed on file temporarily.

Assembly Bill No. 938—An Act to provide for the auditing of claims of the Superintendent of State Printing, the purchase of supplies, the examination of accounts and books relating to State printing, and the employment of an expert printer by the Board of Examiners, and providing for his compensation.

Mr. Caminetti moved to substitute Senate Bill No. 531 for Assembly Bill No. 938.

So ordered.

Senate Bill No. 531—An Act to amend Section 3472 of the Political Code of the State of California, relating to the formation of swamp land or reclamation districts.

Read second time, and ordered on file for third reading.

SUBSTITUTION OF SENATE BILL FOR ASSEMBLY BILL.

SACRAMENTO, March 18, 1897.

I hereby authorize Mr. Dibble to substitute Senate Bill No. 315 (328 on the file) for Assembly Bill No. 877 (381 on the file).

FOREMAN.

Mr. Dibble moved that he be allowed to substitute Senate Bill No. 315 for Assembly Bill No. 877 on the file.

So ordered.

Senate Bill No. 315—An Act appropriating money to pay the claim of W. H. Murray, State Superintendent of Ramie Culture.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Anderson, Austin, Bettman, Boone, Breiling, Burnett, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Foreman, Godfrey, Harris, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Ryan, Sims, Soward, Strain, Toland, Treacy, Vosburg, Waymire, and Mr. Speaker—52.

NOES—Mr. Chynoweth—1.

Title read and approved.

Assembly Bill No. 775—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 disorganization of irrigation districts, the discharge of their indebtedness, and the distribution of their property in accordance with agreements between the creditors of the districts and the property owners therein.

Mr. Mead moved to substitute Senate Bill No. 524 for Assembly Bill No. 775.

So ordered.

Senate Bill No. 524—An Act to provide for the marking by monuments of a portion of the eastern boundary line of 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. Aldridge, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Fontana, Godfrey, Goff, Guy, Harris, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Price, Ryan, Sims, Strain, Toland, Vosburg, Waymire, and Mr. Speaker—55.

NOES—Mr. Treacy—1.

Title read and approved.

Senate Bill No. 451—An Act to require ordinances and resolutions passed by the City Council or other legislative body of any municipality to be presented to the Mayor or other chief executive officer of such municipality for his approval.

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. Aldridge, Anderson, Austin, Belshaw, Boone, Breiling, Bridgford, Canavan, Chynoweth, Clarke, Cutter, Dolan, Dryden, Elliott, Houghton, Keegan, Lacy, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, North of Alameda, North of Yolo, Ryan, Shanahan, Vosburg, and Waymire—29.

NOES—Messrs. Bettman, Burnham, Cross, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Harris, Hill, Hudson, Jones, Keables, Kelsey, Landsborough, Malcolm, Power of Placer, Price, Sims, Soward, Stansell, Strain, Treacy, and Mr. Speaker—25.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 973—An Act to amend Section 1094 of the Political Code.

Assembly Bill No. 372—An Act to amend Sections 739, 769, and 2314 of the Political Code, relating to officers of the Supreme Court and their salaries.

AUSTIN, Chairman.

Mr. North moved that the following report of the free conference committee on Assembly Bill No. 372 be adopted:

REPORT OF COMMITTEE OF FREE CONFERENCE.

MR SPEAKER: Your committee of free conference, to which was referred Assembly Bill No. 372, have had the same under consideration, and beg leave to report back to your honorable body, and recommend that said bill be returned to the Senate, and do pass, as follows:

Amend by striking out all after the enacting clause, and inserting the following:

SECTION 1. Section seven hundred and thirty-nine of the Political Code is hereby amended to read as follows:

Section 739. The annual salaries of the officers connected with the Supreme Court are as follows:

The reporter of the decisions, twenty-five hundred dollars.

One phonographic reporter, three thousand dollars, and one phonographic reporter, twenty-four hundred dollars.

One secretary of the court, twenty-four hundred dollars, and one secretary of the court, twelve hundred dollars.

Each bailiff, fifteen hundred dollars.

The librarian, fifteen hundred dollars.

SEC 2. Section seven hundred and sixty-nine of the Political Code is hereby amended to read as follows:

Section 769. The Supreme Court may also, in like manner, appoint two phonographic reporters for the court, to hold office at its pleasure.

SEC. 3. Section twenty-three hundred and fourteen of the Political Code is hereby amended to read as follows:

Section 2314. The Justices of the Supreme Court are hereby authorized to appoint a librarian for the Supreme Court library, who, under their direction, shall conduct its affairs and be responsible for its care He shall receive the salary provided for in section seven hundred and thirty-nine of this Code.

SEC. 4. This Act shall take effect immediately.

SIMS,
EMMONS,
WRIGHT,
Committee.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dryden, Elliott, Ennis, Fontana, Godfrey, Goff, Harris, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Ryan, Sims, Soward, Stansell, Strain, Toland, and Waymire—53.

NOES—Mr. Gately—1.

NOTICE OF RECONSIDERATION.

Mr. Treacy gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 451 was refused passage.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 927—An Act to repeal an Act entitled "An Act to declare Lake Earl, in Del Norte County, navigable."

Mr. Strain moved to substitute Substitute No. 1 for Senate Bill No. 182 on file for Assembly Bill No. 927.

So ordered.

Substitute No. 1 for Senate Bill No. 182—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition, and as to the health of dairy animals, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to dairy stock, 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 Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cutter, Damon, Dennery, Dibble, Dolan, Dryden, Fontana, Godfrey, Goff, Guy, Henry, Hill, Houghton, Hudson, Jones, Kelly, Leavitt, Lindenberger, Mead, Melick, McClellan, Power of Placer, Price, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Treacy, Vosburg, and Waymire—44.

NOES—Messrs Clarke and Landsborough—2.

Title read and approved.

MOTION.

Mr. Guy moved that the constitutional provision be suspended, and he be allowed to introduce a bill.

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 Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Elliott, Ennis, Fontana, Godfrey, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, North of Yolo, Pohlmann, Power of Placer, Price, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Vosburg, and Mr. Speaker—54.

NOES—None.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Guy: Assembly Bill No. 990—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes.

Read first time, and placed on file for second reading.

APPOINTMENT OF CONFERENCE COMMITTEE.

The Speaker appointed Messrs. Guy, Sims, and Shanahan as a conference committee to consider Assembly Bill No. 937.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 318—An Act to provide for the protection and preservation of public highways from damage by storm-waters and floods, and to authorize the expenditure of public moneys for the purposes 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. Aldridge, Anderson, Austin, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Dryden, Ennis, Fontana, Goff, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, Pohlmann, Power of Placer, Ryan, Shanahan, Sims, Soward, Stansell, Toland, Treacy, Vosburg, and Waymire—47.

NOES—Messrs Gately and Keegan—2.

Title read and approved.

RESOLUTION.

By Mr. Dibble:

Resolved, That the Journal of March 1st, page 28, of corrected Journal, be corrected so as to show that the pending amendments to Assembly Bill No. 151, reported by Committee on Municipal Corporations, February 24th, were adopted by the House.

Resolved, That this resolution be transmitted to the Senate

Adopted.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 493—An Act to pay the claim of E. N. Strout, for services rendered as Reclamation Fund Commissioner from June 1, 1873, to April 1, 1874, amounting to $2,000, and appropriating money to pay 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. Arnerich, Austin, Belshaw, Bettman, Breiling, Burnham, Caminetti, Chynoweth, Clarke, Cross, Damon, Dibble, Dolan, Dryden, Elliott, Ennis, Fontana, Godfrey, Goff, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Shanahan, Sims, Soward, Stansell, Strain, Vosburg, and Waymire—48

NOES—Messrs. Aldridge, Anderson, Boone, McClellan, and Treacy—5.

Title read and approved.

Assembly Bill No. 922—An Act regulating the importation of diseased cattle into the State of California, providing for the inspection of cattle now in the State, and for the inspection of dairy products, and providing for the appointment of a quarantine officer and inspectors, and the locating of quarantine stations for such purposes.

Mr. Coombs moved to substitute Assembly Constitutional Amendment No. 36 on file for Assembly Bill No. 922.

So ordered.

Assembly Constitutional Amendment No. 36—Proposition to amend Section 15 and Section 16 of Article V of the Constitution of the State of California.

Passed temporarily on file.

Senate Bill No. 645—An Act to pay the claim of the County of Monterey, 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. Aldridge, Anderson, Arnerich, Austin, Belshaw, Boone, Breiling, Bridgford, Burnham, Caminetti, Chynoweth, Cross, Damon, Dibble, Dolan, Dryden, Ennis, Fontana, Godfrey, Goff, Harris, Hill, Hudson, Jones, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, McGrath, North of Yolo, Pohlmann, Power of Placer, Shanahan, Sims, Soward, Stansell, Strain, Treacy, Vosburg, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Assembly Bill No. 577—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. Treacy moved that he be allowed to substitute Senate Bill No. 363 for Assembly Bill No. 577 on file.

So ordered.

Senate Bill No. 363 –An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the harbor of San Francisco southward from its present southerly terminus, near the foot of Mission Street, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dibble, Dolan, Gately, Godfrey, Goff, Harris, Henry, Hudson, Jones, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, Pohlmann, Power of Placer, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, and Mr. Speaker—47.

NOES—Messrs. Keegan and Price—2.

Title read and approved.

MOTION.

Mr. Leavitt moved to take up Assembly Constitutional Amendment No. 34, which was passed temporarily.

So ordered.

Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution, in relation to sessions of the Legislature.

Mr. Leavitt moved to amend by striking out of Section 2, line 13, the word "sixty," and inserting the following: "seventy-five."

Adopted.

Ordered to printer.

RECESS.

At six o'clock and forty-five minutes P. M., on motion of Mr. Dibble, the House took a recess until seven o'clock P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock P. M.

Speaker Coombs in the chair.

Quorum present.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 18, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 15th day of March passed Assembly Bill No. 691—An Act to establish a State Lunacy Commission, to provide a uniform government and management of the State hospitals

for the insane, and to provide for the care, custody, and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties.

Also: On the 18th day of March the Senate refused to recede from its amendments to Assembly Bill No. 362—An Act entitled an Act to amend the Political Code by adding a new section, prohibiting the imposing of a license upon any person soliciting orders for the sale of any articles manufactured or produced in this State which, under the laws of the United States, cannot be legally imposed upon persons soliciting orders for the sale of like articles manufactured in any of the States of the United States—and have this day appointed Senators Luchsinger, Gillette, and La Rue as a committee on conference, and respectfully request your honorable body to appoint a like committee.

F. J. BRANDON, Secretary
By G. W. McINTYRE, Assistant.

Assembly Bill No. 362 referred to committee on conference.

Assembly Bill No. 691 ordered to enrollment.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The Speaker appointed the following committee on conference on Assembly Bill No. 362: Messrs. Leavitt, Anderson, and Mulcrevy.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 18, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 18th day of March passed Senate Bill No. 52—An Act to pay the claim of William M. Sullivan against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 439—An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate money therefor.

Also: Senate Bill No. 602—An Act for the payment of the claim of Julius Herzog, and to appropriate money therefor.

Also: Senate Bill No. 487—An Act for the relief of J. W. Newbert, and to appropriate money therefor.

Also: On the 17th of March passed Assembly Bill No. 62—An Act making an appropriation to pay the claim of Thomas Hatch.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Senate Bill No. 439—An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 52—An Act to pay the claim of William M. Sullivan against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 602—An Act for the payment of the claim of Julius Herzog, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 487—An Act for the relief of J. W. Newbert, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 62 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 18th day of March receded from its amendments to Assembly Bill No. 875—An Act to create a commission for the purpose of examining, testing, and investigating voting machines, and reporting to the Legislature, at its thirty-third session, the result of such investigation, and making an appropriation for the expenses of such commission

Also: Passed Assembly Bill No. 510—An Act to improve Salt River, Humboldt County, from the junction thereof with Eel River to Port Kenyon, by removing therefrom bars and other obstructions to navigation, and to appropriate the sum of $10,000 for that purpose.

Also: On the 17th day of March adopted Assembly Concurrent Resolution No. 14—Relative to the consideration of bills by the different houses of the Legislature.

Also: On March 18th, adopted the report of the conference committee on Senate Bill No. 136, and, in pursuance of said report, have appointed Senators Withington, Simpson, and Doty a committee of free conference, and ask for a like committee on the part of the Assembly.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Assembly Bills Nos. 875 and 510 and Assembly Concurrent Resolution No. 14 ordered to enrollment.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 18, 1897.

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bill No. 476.

Also: On March 17th, approved Assembly Bills Nos. 405, 742, and 304.

JAMES H. BUDD, Governor.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 18, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 18th day of March amended, and passed as amended, Assembly Bill No. 63—An Act to amend an Act approved March 26, 1893, entitled "An Act to create and administer a public school-teachers' annuity and retirement fund in the several counties and cities and counties in the State"

F. J. BRANDON, Secretary
By G. W. MCINTYRE, Assistant.

Assembly Bill No. 63—An Act to amend an Act approved March 26, 1893, entitled "An Act to create and administer a public school-teachers' annuity and retirement fund in the several counties and cities and counties in the State."

The following Senate amendments were submitted:

Amend Section 8, line 1, by inserting the following before the word "section": "Sec. 8."

Also: On page 2, Section 1, line 19, after the word "or," strike out the words "consolidated city and county," and insert in lieu thereof the words "the city and county attorney of every consolidated city and county."

Also: On page 4, Section 5, line 21, after the word "county," strike out from and including the word "if," to the end of said line 21, and insert in lieu thereof the words "whenever such selection is possible."

Also: On page 5, line 3, after the figure "8," insert the letter "a," said letter being calculated to designate the part that follows as a subdivision of the section.

Also: On page 5, line 8, after the word "month," insert the following: "in counties, and fifty dollars per month in consolidated cities and counties."

Also: On page 5, line 10, after the word "teacher," insert the following: "and who shall have been a contributor to the annuity fund for at least five years."

Also: On page 5, line 16, after the word "however," strike out from and including the word "that," to and including the word "cease," in line 18, and insert in lieu thereof the following: "that any annuity shall be suspended if its recipient return to service in the public schools, and any annuity less than two thirds of the maximum annuity shall cease, if the committee on retirement constituted in section five of this Act shall at any time decide that its recipient has been restored to the capacity of performing the duties of a teacher and has been reimbursed from the annuity fund at least the full amount of his or her contribution thereto"

Also: On page 6, Section 8, line 41, after the word "teaching," insert the words "after the expiration of five years, and."

Also: On page 6, line 49, after the word "fund," insert a subdivision of the section as follows: "*b*. Teachers of evening schools, receiving a salary of fifty dollars or less, shall be subject to one half its burdens, and shall be entitled to one half of the benefits of this Act; *provided*, that any teacher who is employed both in a day and in an evening school shall be considered for the purposes of this Act to be employed in a day school only."

Also: On page 7, Section 10, line 19, after the word "salary," strike out the words "or any part thereof"

Also: On page 7, Section 10, line 20, after the word "from," insert the words "the warrant or demand for salary of."

Also: On page 7, Section 10, line 23, strike out from and including the word "in" to and including the word "provided," in lines 25 and 26, and strike out the word "be" in line 26, and the letter "d" at the end of the word "appropriated," in line 26.

Also: On page 7, Section 10, line 29, strike out the word "to" and insert "for," and strike out the word "use" and insert "fund; *provided*, that in consolidated cities and counties, after the establishment of an annuity fund therein, it is hereby made the duty of Boards of Education to appropriate monthly at least one half of such moneys for such fund."

Also: On page 7, Section 11, line 15, after the word "moneys," insert the words "thereafter received," and after the word "fund," in line 16, insert the following: "except such gifts, devises, or bequests as may be specially directed by its donor or testator to be placed in the permanent fund."

Also: On page 8, Section 12, line 4, strike out the word "only"

Also: On page 8, Section 12, line 26, strike out the word "fifty," and insert the word "thirty."

Also: On page 9, line 32, strike out from and including the word "where" to and including "thereafter," in line 35, and in line 35 strike out the word "subsequently."

Also: On page 9, line 36, after the word "of," insert the word "such."

Also: On page 9, line 37, change the word "city" to "cities," and the word "county" to "counties," and at the end of line 37 insert the words "after the passage of this Act."

Also: On page 9, at the end of Section 12, insert subdivision 3, to read as follows: "(3) Annuities heretofore granted under the provisions of the Act of which this Act is amendatory, shall be continued for the same amount as heretofore paid, subject, however, to the conditions imposed by section nine (9) and eleven (11) of this Act."

The question being, "Shall the Assembly concur in the Senate amendments to Assembly Bill No. 63?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Aldridge, Arnerich, Austin, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Damon, Dennery, Dibble, Dryden, Elliott, Ennis, Fontana, Godfrey, Goff, Harris, Henry, Hudson, Jones, Keegan, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, Power of Placer, Price, Robinson, Rubell, Ryan, Soward, Strain, Vosburg, Waymire, and Mr Speaker—43.

NOES—Messrs. Anderson and Belshaw—2.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1897.

MR SPEAKER. I am directed to inform your honorable body that the Senate on the 17th day of March amended, and passed as amended, Assembly Bill No 892—An Act to amend an Act to provide a system of drainage for agricultural swamp and overflowed lands, approved March 3, 1881, by amending Section 9 thereof.

Also: Refused passage to Assembly Bill No. 180—An Act to amend Sections 338, 339, and 341 of the Penal Code, and to add two new sections thereto, to be known and designated as Sections 344 and 345, relating to pawnbrokers.

Also: On March 17th, refused third reading to Assembly Bill No 445—An Act relating to the authorization and employment of a draftsman by Recorders in counties and cities and counties of the first class.

Also: On March 18th, refused second reading to Assembly Bill No. 682—An Act providing for the publication of legal or official advertising.

F. J. BRANDON, Secretary.
By G W. MCINTYRE, Assistant.

Assembly Bill No. 892—An Act to amend an Act to provide a system of drainage for agricultural swamp and overflowed lands, approved March 3, 1881, by amending Section 9 thereof.

The following Senate amendments were submitted:

Amend by striking out of Section 1, line 1, the words "said Act," and inserting in lieu thereof the following: "An Act to amend an Act entitled 'An Act to provide a system of drainage for agricultural swamp and overflowed lands,' approved March 3, 1881, by amending section nine thereof."

The question being, "Shall the Assembly concur in the Senate amendment to Assembly Bill No. 892?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Damon, Dennery, Dibble, Dryden, Elliott, Ennis, Goff, Harris, Henry, Hudson, Keegan, Kelsey, Lacy, Landsbor-

ough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, Power of Placer, Price, Rubell, Ryan, Soward, Stansell, Strain, Treacy, Vosburg, Waymire, and Mr. Speaker—46.

NOES—None.

Assembly Bill No. 892 ordered to enrollment.

LEAVE OF ABSENCE.

Mr. Houghton was granted leave of absence for the evening.

RESOLUTION.

Resolved, That Stuart McMullen and George A. Leon be and they are hereby appointed Assistant Journal Clerks, commencing with February 19, 1897, with duties assigned as follows: To ascertain errors in the Journals in relation to all inaccuracies that pertain to the amending and passage of bills by this Assembly, the per diem payable out of the Contingent Fund of the Assembly. The Controller is directed to draw his warrant for and the Treasurer to pay the same.

Mr. Price moved the adoption of the above resolution.

Motion lost.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 351—An Act to prevent persons from unlawfully using or wearing the insignia or rosette of the military order of the Loyal Legion of the United States.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Ennis, Godfrey, Goff, Goodhue, Harris, Henry, Hill, Hudson, Jones, Keables, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Mulcrevy, North of Yolo, Pohlmann, Power of Placer, Price, Rubell, Ryan, Soward, Stansell, Strain, Toland, Tracy, and Mr. Speaker—50.

NOES—None.

Title read and approved.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 17, 1897.

To the honorable Assembly of the State of California:

GENTLEMEN: I return herewith Assembly Bill No. 847 without my approval, and with my objections thereto:

I have long contemplated and desired the removal of the female inmates of the Whittier State School to a separate institution where they could be cared for by a separate management and under conditions favorable to their intellectual training and moral reformation. It was my desire that they might be so placed that they would be free from associations with detrimental influences, and where they would not be brought in contact with any society which they might contaminate.

Shortly after the meeting of the Legislature, Santa Clara, through her representatives and citizens, proposed the plan expressed in the bill under discussion. In company with a committee of the Legislature, I met many of the people of Santa Clara, and inspected the site of the proposed Santa Clara State School. At that time there was a sentiment of universal approval of the plan of locating the school at that place. In consideration of the desire of the legislative representatives of Santa Clara County, and the then evident desire of the citizens of Santa Clara, as evidenced to us upon the occasion of our visit, the Legislature passed the above bill.

After the bill had been considered by both houses, and shortly before its final passage, protests against its enactment began to reach me, and since it has been before me for consideration a strong opposition to it has been expressed to me by mail, by telegraph, and by personal appeal. This opposition comes from the homes of Santa Clara, from the mothers of that quiet city, and from schools located there. The opposition comes from all classes.

When this bill was proposed, it was understood that it was at the practically unanimous wish of the people of Santa Clara, and I therefore gave a partial, though reluctant, approval, as the only then solution possible of this problem. Recent developments show that the community is divided in its sentiment, and that a very strong opposition exists to the location of the school in Santa Clara.

It makes no difference what the cause of the opposition may be, it exists. In my judgment, to force a public institution upon a section so bitterly divided as to its desirability would be most unwise, and could result in no benefit either to the inmates or the locality.

JAMES H. BUDD, Governor.

The question being, "Shall the bill become a law notwithstanding the Governor's objection?"

Mr. Mead moved to indefinitely postpone action on the Governor's veto of Assembly Bill No. 847.

So ordered.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 18, 1897.

To the honorable Assembly of the State of California:

I return herewith Assembly Bill No. 706 without my approval, and with my objections thereto, viz.: I deem said expenditure at this time unnecessary.

JAMES H. BUDD, Governor.

The question being, "Shall the bill become a law notwithstanding the objection of the Governor?"

Mr. Belshaw moved to postpone the consideration of the Governor's objection indefinitely.

So ordered.

Mr. Mead was granted unanimous consent to withdraw his notice of reconsideration of Senate Bill No. 483.

MOTION.

Mr. Treacy moved to reconsider the vote whereby Senate Bill No. 536 was refused final passage.

So ordered.

Senate Bill No. 536—An Act to amend Section 1524 of the Penal Code, relating to the issuing of search warrants.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Arnerich, Austin, Bettman, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Damon, Dennery, Dibble, Dolan, Emmons, Ennis, Godfrey, Goff, Goodhue, Harris, Henry, Hill, Hudson, Keegan, Kelsey, Lacy, Leavitt, Mahoney, Malcolm, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Stansell, Strain, Toland, Treacy, Vosburg, and Waymire—42.

NOES—Messrs. Aldridge, Belshaw, Bridgford, Clarke, Dryden, Elliott, Jones, Keables, Landsborough, Lindenberger, Melick, Robinson, Rubell, Soward, and Mr. Speaker—15.

Title read and approved.

SENATE SPECIAL FILE.

Senate Bill No. 17—An Act to amend Section 1 of 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 the amendment thereto approved February 23, 1893, and fixing the term of office of the Judges thereof.

Mr. Bettman moved to substitute Senate Bill No. 670 for Senate Bill No. 17.

So ordered.

On motion of Mr. Bettman, Senate Bill No. 17 retains its place on file.

Senate Bill No. 670—An Act appropriating $5,000 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. Aldridge, Anderson, Arnerich, Austin, Bettman, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Godfrey, Goff, Goodhue, Harris, Henry, Hill, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Yolo, Power of Placer, Robinson, Rubell, Ryan, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, and Mr. Speaker—55.

NOES—Mr. Belshaw—1.

Title read and approved.

MOTION.

Mr. Mulcrevy moved to reconsider the vote whereby Senate Bill No. 273 was finally passed.

The ayes and noes were demanded by Messrs. Mulcrevy, Bettman, and Kelly.

The roll was called, and pending the announcement of the roll call, Mr. Mulcrevy moved a call of the House, upon which the ayes and noes were demanded by Messrs. Bettman, Mulcrevy, and Kelly.

The roll was called, and the motion for a call of the House lost by the following vote:

AYES—Messrs. Arnerich, Bettman, Canavan, Dibble, Dolan, Elliott, Godfrey, Harris, Henry, Kelly, Lacy, Mahoney, Mulcrevy, McGrath, and Ryan—15.

NOES—Messrs. Aldridge, Anderson, Austin, Belshaw, Bridgford, Burnham, Chynoweth, Clarke, Cross, Damon, Dryden, Fontana, Goff, Goodhue, Guy, Hill, Hudson, Keables, Keegan, Landsborough, Lindenberger, Malcolm, Mead, Melick, North of Alameda, North of Yolo, Power of Placer, Robinson, Shanahan, Soward, Stansell, Strain, Vosburg, and Mr. Speaker—34.

The Speaker then announced the result of the roll call, and the motion to reconsider was lost by the following vote:

AYES—Messrs. Arnerich, Bettman, Canavan, Dibble, Dolan, Godfrey, Harris, Henry, Keegan, Kelly, Lacy, Mahoney, Mulcrevy, McGrath, Rubell, Ryan, Toland, and Treacy—18.

NOES—Messrs. Aldridge, Austin, Belshaw, Bridgford, Burnham, Chynoweth, Clarke, Cross, Damon, Dryden, Elliott, Ennis, Fontana, Goff, Goodhue, Guy, Hill, Hudson, Keables, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, North of Alameda, North of Yolo, Power of Placer, Price, Robinson, Soward, Stansell, Strain, Vosburg, Waymire, and Mr. Speaker—36.

SPECIAL FILE.

Assembly Constitutional Amendment No. 36—Proposition to amend Section 15 and Section 16 of Article V of the Constitution of the State of California.

The following amendments were submitted:

On page 2 insert after the word "term," in line 7, printed constitutional amendment, the words "or until the disability shall cease."

Also: On page 2, after the word "office," in line 11, the word "of."

Adopted.

Assembly Constitutional Amendment No. 36 ordered to printer, to retain place on file.

MOTION.

Mr. North moved that Assembly Bill No. 372 be recalled from the Senate and ordered to enrollment.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 513—An Act to provide for the construction of a State highway or wagon road from Sacramento City to Folsom, in Sacramento

County, and appropriating crushed rock and granite or stone blocks for drains and culverts for same.

Read third time.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Goff, Harris, and Power of Placer.

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 Aldridge, Anderson, Arnerich, Austin, Bettman, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cross, Damon, Dennery, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Goff, Goodhue, Harris, Henry, Hill, Jones, Keables, Keegan, Kelsey, Landsborough, Leavitt, Lindenberger, Mead, Power of Placer, Robinson, Rubell, Ryan, Sims, Soward, Stansell, Strain, Treacy, Vosburg, and Waymire—43

NOES—Messrs. Belshaw, Chynoweth, Clarke, Hudson, Melick, North of Yolo, Shanahan, Toland, and Mr. Speaker—9.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Treacy gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 513 was finally passed.

At nine o'clock and fifty-five minutes P. M., Speaker Coombs called Mr. Belshaw to the chair.

MOTION.

Mr. Bridgford moved that the Assembly now consider Senate Bill No. 113, which was passed temporarily.

So ordered.

Senate Bill No. 113—An Act to amend Section 685 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.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Cross, Harris, and Power, of Placer.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the roll call, Mr. Bridgford moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Anderson, Austin, Belshaw, Bettman, Bridgford, Burnett, Caminetti, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Godfrey, Goff, Goodhue, Harris, Henry, Hill, Hudson, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Robinson, Rubell, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, and Mr. Speaker.

Mr. Caminetti moved that further proceedings under call of the House be dispensed with.

So ordered.

Mr. Bridgford moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Aldridge, Anderson, Arnerich, Austin, Belshaw, Bettman, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Dryden, Elliott, Emmons, Ennis, Fontana, Godfrey, Goff, Goodhue, Harris, Henry, Hill, Hudson, Keables, Keegan, Kelly, Kelsey, Lacy, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sims, Soward, Strain, Toland, Treacy, Vosburg, and Waymire.

Mr. Bridgford moved that further proceedings under call of the House be dispensed with.

So ordered.

Mr. Bridgford moved a call of the House.

So ordered.

Mr. Canavan moved that further proceedings under call of the House be dispensed with.

So ordered.

Mr. Bridgford moved that the Assembly now proceed with a call of the House.

Lost.

The Speaker then announced the result of the roll call, and the bill was refused passage by the following vote:

AYES—Messrs. Aldridge, Arnerich, Austin, Belshaw, Bridgford, Burnham, Caminetti, Clarke, Dennery, Dryden, Elliott, Emmons, Fontana, Guy, Hudson, Jones, Keables, Keegan, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, McGrath, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Shanahan, Sims, Soward, Stansell, Strain, and Toland—38.

NOES—Messrs. Anderson, Bettman, Canavan, Chynoweth, Cross, Damon, Dibble, Dolan, Ennis, Godfrey, Goff, Goodhue, Harris, Henry, Hill, Kelly, Kelsey, Leavitt, Mulcrevy, North of Alameda, North of Yolo, Ryan, Treacy, Vosburg, and Waymire—25.

RESOLUTION.

By Mr. Price:

Resolved, That the Senate bills to be first considered on the Senate special file are the following bills, which carry appropriations for State institutions:

Senate Bill No. 692, Senate special file (266 on file).
Senate Bill No. 89, Senate special file (275 on file).
Senate Bill No 87, Senate special file (276 on file).
Senate Bill No. 292, Senate special file (279 on file).
Senate Bill No 521, Senate special file (281 on file).
Senate Bill No. 398, Senate special file (282 on file).
Substitute for Senate Bill No. 64, Senate special file (286 on file).
Senate Bill No. 549, Senate special file (287 on file)
Substitute for Senate Bill Nos. 357, 358, 361, Senate special file (301 on file).
Senate Bill No. 291, Senate special file (316 on file).
Senate Bill No. 563, Senate special file (324 on file).
Senate Bill No. 359, Senate special file (344 on file).

Motion lost.

At ten o'clock and thirty-five minutes P. M., the Speaker resumed the chair.

MOTION.

Mr. Power, of Placer, moved to reconsider the vote whereby Assembly Bill No. 897 was refused final passage.

So ordered.

Assembly Bill No. 897—An Act to authorize the Governor to employ an agent to collect certain claims due the State of California by the United States, and to provide compensation for such services.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, Mr. Sims moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called.

Mr. Landsborough moved that further proceedings under call of the House be dispensed with.

So ordered.

The Speaker then announced the result of the roll call, and the bill was passed by the following vote:

AYES—Messrs. Aldridge, Austin, Bettman, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Cross, Damon, Dibble, Dolan, Elliott, Emmons, Ennis, Fontana, Godfrey, Goff, Goodhue, Harris, Hudson, Jones, Keables, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Mulcrevy, McGrath, Pohlmann, Power of Placer, Power of San Francisco, Rubell, Ryan, Sims, Soward, Stansell, Strain, Waymire, and Mr. Speaker—43.

NOES—Messrs. Anderson, Arnerich, Belshaw, Henry, Melick, North of Alameda, and Vosburg—7.

Title read and approved.

MOTION.

Mr. Godfrey moved that the Assembly take up Senate Bill No. 15 out of order.

So ordered.

Senate Bill No. 15—An Act to amend Section 690 of an Act entitled "An Act to establish a Code of Civil Procedure," by adding a new subdivision, exempting seamen's and fishermen's wages, one piano, one shotgun, one rifle, also typewriters and bicycles, from 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 Aldridge, Anderson, Austin, Belshaw, Bettman, Burnett, Burnham, Chynoweth, Cross, Damon, Dibble, Dolan, Elliott, Emmons, Ennis, Fontana, Godfrey, Goff, Goodhue, Harris, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, Pohlmann, Power of Placer, Robinson, Rubell, Ryan, Soward, Strain, Treacy, and Waymire—44.

NOES—Mr. Vosburg—1.

Title read and approved.

MOTION.

Mr. Emmons moved to reconsider the vote by which Assembly Bill No. 561 was refused passage.

So ordered.

Assembly Bill No. 561—An Act to appropriate $4,000 to pay the claim of Francis Williams, for services rendered the State of California as an Irrigation Commissioner.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Austin, Bettman, Bridgford, Burnett, Canavan, Cross, Damon, Dennery, Dibble, Dolan, Elliott, Emmons, Ennis, Godfrey, Goff, Goodhue, Harris, Henry, Hudson, Jones, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Mahoney, Mulcrevy, McGrath, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Robinson, Ryan, Shanahan, Sims, Soward, Strain, Treacy, Vosburg, and Mr. Speaker—42.

NOES—Messrs Anderson, Belshaw, Burnham, Chynoweth, Fontana, Keegan, Mead, and Melick—8.

Title read and approved.

MOTION.

Mr. Jones moved that he be allowed to withdraw Senate Bill No. 314, by request of the author.

So ordered.

REPORT OF COMMITTEE OF FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1897

MR. SPEAKER: Your committee of free conference, concerning the disagreement of the two houses with reference to certain amendments made by the Assembly to Senate Bill No. 136, 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 Withington, Simpson, and Doty, and report that the committee unanimously agreed upon and recommend the following:

First—That the Senate concur in the Assembly amendment to Section 163, striking out line 41½ in subdivision 6, being the following words: "including the percentage collected by him from licenses," which amendment we annex to this report as amendment *a*.

Second—We recommend that the Senate concur in the Assembly amendment to Section 164, and insert in subdivision 6, line 19, after the words "per annum," the words "which shall be in full for all services as Tax Collector and license collector," which amendment we annex to this report as amendment *b*.

Third—We recommend that the Senate concur in Assembly amendment to Section 166, and that the same be amended by striking out of subdivision 6, line 31, the word "two," and inserting in place thereof the word "three," which amendment we annex to this report as amendment *c*

Fourth—We recommend that subdivision 15 of Section 173 be amended so as to read as follows: "15. Each Supervisor, nine hundred dollars per annum, and twenty cents per mile for traveling from his residence to the county seat, which shall be full compensation for all services as Supervisor and Road Overseer; *provided*, that no more than one mileage at any one term of the board shall be allowed, and that one fourth of the annual salary shall be paid at the close of each quarterly session of the board," which amendment we annex as amendment *d*.

Fifth—We recommend that the Senate concur in Assembly amendment to Section 177 but that the same be amended by striking out subdivision 11, and inserting the following: "11 Superintendent of Schools, eighteen hundred dollars per annum, including services on Board of Education He shall be allowed his actual traveling expenses, not to exceed three hundred dollars per annum," which amendment we annex hereto as amendment *e*.

Sixth—We recommend that the Senate concur in Assembly amendment to Section 181, but that the same be amended as follows: In subdivision 13, line, 35, strike out the word "seventy," and insert the words "sixty-five," which amendment we annex hereto as amendment *f*; also, in subdivision 14, line 55, strike out the word "eighty," and insert in place thereof the word "seventy," which amendment we annex hereto as amendment *g*.

Seventh—In Section 191 we recommend that the Assembly recede from all their amendments to said section.

Eighth—In lieu of Section 193 of the bill, and all amendments thereof, insert the following:

SEC. 193 In counties of the thirty-sixth 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, twenty-two hundred dollars per annum.
2. The Sheriff, forty-five hundred dollars per annum
3 The Recorder, eighteen hundred dollars per annum.
4. The Auditor, one thousand dollars per annum.
5 The Treasurer, fifteen hundred dollars per annum.
6. The Tax Collector, one thousand dollars per annum, and five per cent on all licenses collected by him as license collector.
7. The Assessor, two thousand dollars per annum.
8. The District Attorney, eighteen 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, fifteen 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.
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 mileage at the rate of ten cents per mile for traveling to and from his residence to the county seat once each session; for services as road commissioner, three dollars per day, while

engaged as such commissioner; *provided, however*, the amount so allowed as such commissioner shall not exceed three hundred dollars in any one year.

Which amendment we annex to this report as amendment *h*.

WITHINGTON.
SIMPSON.
DOTY.
NORTH.
BURNETT.
DENNERY.

COMMITTEE OF FREE CONFERENCE AMENDMENTS.

(*a*) Amend by striking out line 41½ in subdivision 6 of Section 163, being the following words: "Including the percentage collected by him from licenses"

(*b*) Amend Section 164 by inserting in subdivision 6, line 19, after the words "per annum," the words "which shall be in full for all services as Tax Collector and License Collector."

(*c*) Amend Section 166 by striking out of subdivision 6, line 31, the word "two," and inserting in place thereof the word "three."

(*d*) Amend Section 173, subdivision 15 thereof, to read as follows: "15. Each Supervisor, nine hundred dollars per annum, and twenty cents per mile for traveling from his residence to the county seat, which shall be full compensation for all services as Supervisor and Road Overseer, *provided*, that no more than one mileage at any one term of the board shall be allowed, and that one fourth of the annual salary shall be paid at the close of each quarterly session of the board"

(*e*) Amend Section 177 by striking out subdivision 11, and inserting the following: "11. Superintendent of Schools, eighteen hundred dollars per annum, including services on Board of Education. He shall be allowed his actual traveling expenses, not to exceed three hundred dollars per annum"

(*f*) Amend Section 181, by striking out of line 35, subdivision 13, the word "seventy," and inserting the words "sixty-five" in lieu thereof.

(*g*) Amend Section 181, by striking out of line 55, subdivision 14, the word "eighty," and inserting in place thereof the word "seventy."

(*h*) Amend Section 193, by striking out all of said section and inserting in lieu thereof the following:

SEC. 193. In counties of the thirty-sixth 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, twenty-two hundred dollars per annum.
2. The Sheriff, forty-five hundred dollars per annum.
3. The Recorder, eighteen hundred dollars per annum.
4. The Auditor, one thousand dollars per annum.
5. The Treasurer, fifteen hundred dollars per annum.
6. The Tax Collector, one thousand dollars per annum, and five per cent on all licenses collected by him as license collector.
7. The Assessor, two thousand dollars per annum
8. The District Attorney, eighteen 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, fifteen 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.
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 mileage at the rate of ten cents per mile for traveling to and from his residence to the county seat, once each session; for services as road commissioner, three dollars per day while engaged as such commissioner; *provided, however*, the amount so allowed as such commissioner shall not exceed three hundred dollars in any one year.

The question being upon the adoption of the report of the conference committee and free conference committee appointed to consider Senate Bill No. 136, and upon the amendments suggested by such committees.

The roll was called, and the report and amendments adopted by the following vote:

AYES—Messrs. Anderson, Austin, Belshaw, Bettman, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Damon, Dennery, Dibble, Dolan, Emmons, Ennis, Fontana, Godfrey, Goff, Goodhue, Harris, Henry, Hudson, Jones, Keables, Keegan, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Robinson, Ryan, Soward, Strain, Vosburg, and Mr Speaker—45

NOES—Messrs Elliott and Treacy—2.

MOTION.

Mr. Dibble moved to reconsider the vote by which Assembly Bill No. 606 was refused passage.

So ordered.

Assembly Bill No. 606—An Act to amend Section 536 of the Civil Code.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Arnerich, Bettman, Bridgford, Burnett, Burnham, Canavan. Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Dolan, Ennis, Fontana, Goff, Goodhue, Harris, Henry, Hudson, Jones, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McGrath, North of Alameda, Pohlmann, Power of Placer, Robinson, Rubell, Ryan, Shanahan, Sims, Stansell, Strain, Vosburg, Waymire, and Mr. Speaker—46.

NOES—Messrs. Belshaw, Keegan, and Treacy—3.

Title read and approved.

MOTION.

Mr. Bridgford moved that the constitutional amendments be taken up to-morrow morning.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1897

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 764—An Act to provide for the construction of county highways in the several counties of the State, and empowering Boards of Supervisors to levy taxes therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CLARKE, Chairman.

RESOLUTIONS.

By Mr. Sims:

Resolved, That W. O. Banks, Sergeant-at-Arms of the Assembly, and W. N. Lamphrey, Assistant Sergeant-at-Arms of the Assembly, and J. Hocking, Bookkeeper, and Robert Corlett, Clerk, and John Kofod, Porter, 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.

By Mr. Strain:

WHEREAS, Section 261 of the Political Code requires the Chief Clerk and Assistant Clerks, at the close of each session of the Legislature, to mark and 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 assistants, Robert Nixon, Jr., and T. W Harris, be and each are 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; the Controller is hereby directed to draw his warrant and the Treasurer directed to pay the same.

Referred to Committee on Attachés and Employés.

ADJOURNMENT.

At eleven o'clock and ten minutes P. M., on motion of Mr. Leavitt, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 19, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

The roll was called, and the following members answered to their names:

Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dennery, Dibble, Elliott, Ennis, Foreman, Godfrey, Goff, Goodhue, Guy, Harris, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, North of Alameda, Pohlmann, Price, Robinson, Rubell, Ryan, Shanahan, Sims, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Wednesday, March 17th, was approved as corrected.

LEAVE OF ABSENCE.

Mr. Soward was granted leave of absence for the day.

MOTION.

Mr. Mead moved that the Senate be requested to return to the Assembly Senate Bill No. 314 for further consideration.

The previous question was demanded by Messrs. Price, Melick, and Cross.

The question being, "Shall the main question be now put?"

The ayes and noes were demanded by Messrs. Caminetti, Mead, and Belshaw.

The roll was called, and the previous question ordered by the following vote:

AYES—Messrs. Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Breiling, Bridgford, Canavan, Cross, Dennery, Dibble, Ennis, Fontana, Godfrey, Goff, Harris, Houghton, Hudson, Jones, Keables, Kelly, Kelsey, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, North of Alameda, Pohlmann, Power of Placer, Price, Sims, Stansell, Strain, Treacy, Valentine, Waymire, and Mr. Speaker—41.

NOES—Messrs. Boone, Burnham, Caminetti, Chynoweth, Rubell, and Shanahan—6.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Allen, Anderson, Belshaw, Boone, Bridgford, Caminetti, Canavan, Chynoweth, Clark, Damon, Dibble, Goodhue, Houghton, Hudson, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, North of Alameda, Pohlmann, Power of Placer, Price, Robinson, Rubell, Shanahan, Stansell, Strain, Toland, Treacy, Waymire, and Mr. Speaker—33.

NOES—Messrs Arnerich, Bettman, Burnham, Cross, Dennery, Ennis, Fontana, Goff, Harris, Jones, Kelly, Kelsey, Sims, and Valentine—14.

On motion of Mr. Price, the following bills on the Senate special file, carrying appropriations to public institutions, were first in order for consideration:

Senate Bill No. 692—An Act making an appropriation for furnishing a ward building for the Southern California State Asylum for the Insane and Inebriates.

Senate Bill No. 89—An Act making an appropriation for the erection of a dairy barn and appurtenances for the Southern California State Asylum for the Insane and Inebriates.

Senate Bill No. 87—An Act making an appropriation for enlarging the laundry of the Southern California State Asylum for the Insane and Inebriates to double its present capacity.

Senate Bill No. 292—An Act to provide for the deficiency in the appropriation for support and maintenance of the widows and orphans of Union soldiers, sailors, and marines, and for ex-Union army nurses, residing at Evergreen, in the County of Santa Clara, at the Home in said county, and under the auspices of the Woman's Relief Corps Home Association, for the forty-eighth fiscal year.

Senate Bill No. 521—An Act to provide for additional improvements at the State Insane Asylum located at Agnews in the County of Santa Clara, State of California, and to make an appropriation therefor.

Senate Bill No. 398—An Act making an appropriation for supplying water, light, and fuel for the State Insane Asylum at Stockton

Senate Bill No. 549—An Act to provide for certain improvements and repairs at the San Quentin State Prison, and making an appropriation therefor.

Substitute for Senate Bills Nos 357, 358, and 361—An Act to provide for additional buildings for the California Home for the Care and Training of Feeble-Minded Children; to equip the same for occupancy and use; to provide a system of electric lighting therein, and to make an appropriation therefor

Senate Bill No 291—An Act to provide for reseating the hall in the State Normal School building at San José, and for the building of a gymnasium for the said State Normal School, and to provide an appropriation therefor

Senate Bill No. 563—An Act making an appropriation to pay the deficiency in the appropriation for support of Preston School of Industry, at Ione, California, for the forty-eighth fiscal year

Senate Bill No 31—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.

Senate Bill No. 309—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind for the grading and paving of Dwight Way, in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under a contract with Guy H. Chick, Superintendent of Streets of the Town of Berkeley, California, his authority having been acquired under the general street law of this State.

Senate Bill No. 399—An Act making an appropriation for the purpose of constructing a reservoir, and laying and maintaining a line of pipe from said reservoir to the Marshall monument, and for other purposes

Senate Bill No. 359—An Act to provide for the fencing of the farm property, the further equipment of the farm, and for the laying out and care of the grounds at the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Mr. Caminetti moved that the Assembly do now take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 18, 1897

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 18th day of March concurred in Assembly amendments to Substitute for Senate Bill No. 689—An Act to promote the horticultural interests of the State, by providing county boards of horticulture, and repealing the Act entitled "An Act to promote the horticultural interests of the State," approved March 14, 1881, and certain Acts amendatory thereof, approved March 19, 1889, and March 31, 1891.

Also: Senate Bill No 507—An Act to authorize the State Board of Harbor Commissioners to establish and maintain a free public market upon the waterfront of San Francisco, and providing for the expenses and regulations thereof.

Also: Senate Bill No 647—An Act to authorize the Governor to appoint and commission agents to collect and receive certain claims due the State of California from the United States, to provide compensation for such service, and to distribute the moneys recovered on such claims

Also: Senate Bill No 182—An Act to provide for the inspection of dairies, creameries, and cheese factories, as to their sanitary condition, and as to the health of dairy animals, and to prevent the sale of milk and butter and cheese made from milk drawn

from diseased animals, to the people of this State, and to prevent the spread of contagious and infectious diseases, and to appropriate money therefor.

Also: Passed Assembly Bill No. 942—An Act to provide for the auditing and examination of the claims against the State of soldiers who served in the Indian wars in California, during the years from 1847 to 1857, to authorize the Adjutant-General to appoint a clerk for that purpose, and making an appropriation for his salary.

Also: Assembly Bill No 384—An Act to amend Section 3 of an Act entitled "An Act to confer certain powers upon corporations organized for the purpose of discovering and preventing fires, and of saving property and human life from conflagration," approved April 1, 1876.

Also: Amended, and passed as amended, Assembly Bill No. 121—An Act to create and regulate in any city or city and county in this State public warehouses, other than warehouses for the storage of grain or wool, and to enforce warehouse liens.

F. J. BRANDON, Secretary.

Assembly Bills Nos. 942 and 384 ordered to enrollment.

Assembly Bill No. 121—An Act to create and regulate in any city or city and county in this State public warehouses, other than warehouses for the storage of grain or wool, and to enforce warehouse liens.

The following Senate amendments were submitted:

Amend by striking out of Section 2, line 20, the word "the," in engrossed bill, and inserting in lieu thereof the following: "a."

Also: Amend by striking out of Section 3, line 10, the word "a," in engrossed bill, and inserting in lieu thereof the following: "as."

Also: Amend by striking out of Section 3, line 49, the word "a," in engrossed bill, and inserting in lieu thereof the following: "the."

Also: Amend by striking out of Section 3, line 49, the word "is," in engrossed bill, and inserting in lieu thereof the following: "was"

Also: Amend by striking out of Section 4, line 7, at end of line, the words "that may be," in engrossed bill, and inserting in lieu thereof the following: "previously"

The question being, "Shall the Assembly concur in the Senate amendments?"

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Allen, Anderson, Arnerich, Austin, Belshaw, Boone, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Damon, Dibble, Elliott, Ennis, Fontana, Goff, Goodhue, Harris, Houghton, Jones, Keables, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, McClellan, North of Yolo, Pohlmann, Rubell, Ryan, Shanahan, Strain, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—44.

NOES—None.

At ten o'clock and fifty-five minutes A. M., Speaker Coombs called Mr. Clarke to the chair.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 19, 1897

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 19th day of March returned to your honorable body Senate Bill No. 314—An Act to amend Section 480 of the Civil Code, relating to reports to be made to the Board of Railroad Commissioners by railroad and other transportation companies, and fixing a penalty for failure to comply therewith—which was withdrawn from the file by the Assembly, with the request to place said bill in its proper place on file.

F. J BRANDON, Secretary
By G. W. McINTYRE, Assistant

Senate Bill No. 314 ordered to take its place on the file, as requested by the Senate.

Also:

SENATE CHAMBER, SACRAMENTO, March 19, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 18th day of March passed Assembly Bill No. 217—An Act making an appropriation to pay the claims of the State Board of Health for traveling expenses.

Also: Assembly Bill No. 928—An Act appropriating money to pay the expenses of collecting, preparing, forwarding, installing and maintaining, taking down and return-

ing, an exhibit of the products of the State of California, at the Hamburg Horticultural Exposition, to be held at Hamburg, Germany, in 1897, and to provide for a commission, secretary of a commission, and to pay the secretary thereof.

Also: Assembly Bill No. 212—An Act making an appropriation to pay the claim of Charles Phipps, for services rendered as Assistant Secretary of the State Board of Examiners, from February 15, 1891, to March 21, 1891.

Also: Assembly Bill No. 246—An Act making an appropriation to pay the claims of James McClatchy & Co., publishers of the Bee, for advertising the constitutional amendments.

Also: Assembly Bill No. 615—An Act to pay the claim of A. J. Bourne against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 206—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in lithographing maps, etc., for the Commissioner of Public Works.

Also: Assembly Bill No. 285—An Act for the employment of the needy unemployed, and of vagrants under sentence

Also: Assembly Bill No 332—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant

Assembly Bills Nos. 217, 928, 212, 246, 615, 206, 285, and 332 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 19, 1897

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 18th day of March passed Assembly Bill No 981—An Act for the establishment of a uniform system of road government and administration in the counties of the State of California.

Also: Refused to pass Assembly Bill No. 354—An Act to amend Section 1196 of the Political Code, relating to elections.

Also: Return to your honorable body Assembly Bill No. 372—An Act to amend Sections 739, 769, and 2314 of the Political Code, relating to officers of the Supreme Court and their salaries—as per your request of March 17th.

Also: On March 18th, adopted the following:

Senate Constitutional Amendment No. 44—A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by adding a new section, to be known and designated as Section 5½, Article VI, thereby providing for the organization of a court, to be known as the Court of Claims.

Also: Senate Constitutional Amendment No. 39—A resolution to propose an amendment to Article VI of the Constitution of the State of California, relating to the judicial department.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Assembly Bill No. 981 ordered to enrollment.

Senate Constitutional Amendments Nos. 44 and 39 ordered on Senate special file.

At eleven o'clock A. M., Speaker Coombs resumed the chair.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly constitutional amendment has been correctly reengrossed: Assembly Constitutional Amendment No. 34—Proposed amendment to Article IV of the Constitution, relative to sessions of the Legislature.

AUSTIN, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 75—An Act to amend Section 862 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 Bills Nos. 302, 381, 543, 588, 699, 761, 792, 870, 893, 894, 934, 967, 971, and Assembly Concurrent Resolution No 5, have had the same under consideration, and respectfully report that it will take no further action concerning the above bills unless

especially ordered by the Assembly as to any particular bill. The reason the committee so report is that to report the bills back and have them placed upon the file would entail a considerable expense for printing, which, in view of the close of the session, now so near at hand, seems to the committee to be unnecessary.

VALENTINE, Chairman.

Senate Bill No. 75 placed on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1897.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 477—An Act for the improvement of the harbor of San Diego, and to appropriate the sum of $50,000 for the erection of a State wharf, purchasing a dredger, and paying the legal expenses incident to securing possession of the tide lands on the Bay of San Diego, and paying other indebtedness of the State Board of Harbor Commissioners for the Bay of San Diego.

Also: Assembly Bill No 566—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Sections Nos 343, 2429, 2430, 2431, 2440, 2441, 2457, 2458, 2460, 2461, 2462, 2463, 2464, 2466, 2470, and 2490, and repealing Sections Nos. 2443, 2444, 2445, 2446, and 2468, all relating to pilots, Pilot Commissioners, and pilotage.

Have had the same under consideration, and respectfully report the same back without recommendation.

POHLMANN, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bills Nos. 829 and 659, have had the same under consideration, and respectfully report the same back without recommendation.

BURNHAM, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 904—An Act to provide for the classification of the roads in the State of California

Also: Assembly Bill No. 905—An Act to provide for the location, construction, and maintenance of highways owned or to be acquired by the State of California, by the levy of a rate of taxation, and the creation of a fund therefor.

Also: Assembly Bill No. 902—An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employés thereof, and to provide for the compensation of said officers and employés, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year.

Also: Assembly Bill No. 903—An Act to provide for the location, construction, and maintenance of State highways in the several counties of the State, and to define the duties of certain State officers and county and district officials in connection therewith.

Also: Assembly Bill No. 632—An Act to provide for the organization and management of county fire insurance companies.

Also: Assembly Bill No 859—An Act to amend an Act entitled "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 and watercourses, 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 expense of the same," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

And presented the same to the Governor on this day, at nine o'clock and forty-five minutes A. M.

FONTANA, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 955—An Act to amend an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880.

Also: Assembly Bill No. 954—An Act to amend an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880.

Also: Assembly Bill No. 953—An Act to regulate the sale of glucose, and providing a

penalty for selling the same under a false name, or in connection with other articles or ingredients, without notice

Have had the same under consideration, and respectfully report the same back without recommendation.

PRICE, Chairman

ON REVISION OF CODES AND STATUTES.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR SPEAKER: Your Committee on Revision of Codes and Statutes, to whom was referred Assembly Bills Nos. 883, 106, 413, 946, 488, and 489, have had the same under consideration, and respectfully report the same back without recommendation

DIBBLE, Chairman.

ON STATE HOSPITALS AND ASYLUMS

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bills Nos 163, 50, and 563, have had the same under consideration, and respectfully report the same back with recommendation that the authors be permitted to withdraw the same.

MALCOLM, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bills Nos 957, 117, 687, 918, 900, and 541, have had the same under consideration, and respectfully report the same back without recommendation.

ROBINSON, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1897.

MR. SPEAKER Your Committee on Judiciary, to whom was referred Assembly Bill No. 689—An Act to amend Sections 901, 902, 903, and 905 of the Code of Civil Procedure, relating to judgments of Justices' Courts.

Also: Assembly Bill No. 690—An Act to amend Section 4259 of the Political Code, relating to the qualification of District Attorneys

Also: Assembly Bill No. 701—An Act relating to the taking of depositions, and amending Section 2032 of the Code of Civil Procedure of the State of California, relative to taking depositions in this State.

Also: Assembly Bill No 702—An Act relating to the falsifying of evidence, and amending Section 132 of the Penal Code of the State of California.

Also: Assembly Bill No. 704—An Act relating to the assessment of property of certain soldiers and sailors of the United States who have been honorably discharged from the service

Also: Assembly Bill No. 708—An Act to amend Section 726 and to repeal Section 729 of the Code of Civil Procedure, relating to actions for the foreclosure of mortgages.

Also: Assembly Bill No 749—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 393 thereof, fixing the place of trial of actions against executors, administrators, or guardians

Also. Assembly Bill No 752—An Act to amend Section 416 of the Political Code, relative to fees to be collected by the Secretary of State for services performed in his office

Also: Assembly Bill No 753—An Act to amend Section 291 of the Civil Code of California, relative to articles of incorporation

Also: Assembly Bill No. 754—An Act to amend Section 293 of the Civil Code, relative to articles of incorporation

Also: Assembly Bill No. 755—An Act to add three new sections to "An Act to establish a Penal Code," approved February 14, 1872, to be numbered 627*e*, 627*f*, 627*g*, relating to wild birds.

Also: Assembly Bill No 301—An Act to amend Section 1401 and to repeal Section 1402 of the Civil Code of California.

Also: Assembly Bill No 333—An Act to amend Section 8 of an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco," 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, relative to stenographers.

Also: Assembly Bill No 397—An Act to amend Sections 537 and 538 of the Code of Civil Procedure, relating to attachments.

Also: Assembly Bill No. 428—An Act to amend Section 3806 of the Political Code, relating to the sale of property for payment of delinquent taxes under irregular assessments.

Also: Assembly Bill No 481—An Act to amend Section 580 of the Code of Civil Procedure of the State of California, relating to judgments.

Also: Assembly Bill No 530—An Act empowering the Board of Supervisors in each county of this State to correct any error made on the assessment of any property.

Also: Assembly Bill No. 599—An Act to amend Section 269 of the Code of Civil Procedure, relating to phonographic reporters for Superior Courts, their appointment and duties

Also: Assembly Bill No. 630—An Act to add two new sections to the Code of Civil Procedure, to be designated as Sections 1745 and 1746, respectively, relating to the appointment of Public Administrators as guardians of the estates, or the persons and estates, of minors and insane persons.

Also: Assembly Bill No. 658—An Act to amend an Act entitled "An Act to establish the fees of county, township, and other officers, and of jurors and witnesses, in this State," approved March 28, 1895, by amending Section 1 thereof, relative to witness fees.

Also: Assembly Bill No 676—An Act to amend Section 737 of the Political Code.

Also: Assembly Bill No. 678 (Substitute for Assembly Bill No. 367)—An Act to add a new section to the Political Code, to be numbered Section 3658½, relating to the assessment of property and the collection of taxes

Also: Assembly Bill No. 940—An Act to amend subdivision 16 of Section 2955 of the Civil Code of California, relating to the mortgaging of personal property.

Also: Assembly Bill No. 941—An Act granting unto Lake County, State of California, that certain body of water situated within the territorial limits of said county, known as Clear Lake, together with that portion of the outlet of said lake, situated within the territorial limits of said county, known as Cache Creek.

Also: Assembly Bill No. 944—An Act to prohibit corporations of other States and Territories from conducting business or owning, operating, leasing, or holding property in the State of California, in certain cases

Also. Assembly Bill No 963—An Act amending the Code of Civil Procedure of the State of California, adding a new section thereto, to be known and designated as Section 1408, making the expense of giving a bond by administrators, executors, trustees, receivers, and assignees, an expense payable as an expense of administration.

Also: Assembly Bill No. 965—An Act to provide for the dissolution of corporations

Also: Assembly Bill No 832—An Act to amend Sections 364 and 680 of the Political Code, and to add a new section thereto, to be known as Section 686 of the Political Code, all relating to the State Board of Examiners

Also: Assembly Bill No 758—An Act to promote the public health, to prohibit acts prejudicial thereto, and to provide for the punishment thereof

Also: Assembly Bill No. 759—An Act to promote the public health, to prohibit acts prejudicial thereto, and provide for the punishment thereof

Also: Assembly Bill No 772—An Act to amend Section 1056 of the Code of Civil Procedure of California, relating to sureties upon bonds and undertakings

Also: Assembly Bill No. 782—An Act to prevent and forbid street railroad companies and other corporations from requiring deposits from employés.

Also: Assembly Bill No. 788—An Act to amend Section 842 of the Code of Civil Procedure.

Also: Assembly Bill No. 800—An Act providing for the publication of the laws in the newspapers.

Also: Assembly Bill No. 871—An Act to amend Section 1222 of the Code of Civil Procedure of California.

Also: Assembly Bill No. 881—An Act to amend Section 3823 of an Act entitled "An Act to establish a Political Code of the State of California," approved March 12, 1872, relative to the assessment and collection of taxes on personal property

Also: Assembly Bill No 899—An Act requiring owners, lessees, and possessors of land to destroy squirrels thereon, and providing for the expenses thereof in case of neglect

Also: Assembly Bill No 919—An Act to amend Section 592 of the Code of Civil Procedure of the State of California, relating to trial of issues of fact in civil actions.

Also. Assembly Bill No 920—An Act to amend Section 1206 of the Code of Civil Procedure, relating to notice to an attachment or execution debtor, of claims for labor.

Also: Assembly Bill No. 929—An Act to amend Section 953 of the Code of Civil Procedure, relating to records on appeals and to the certification and transmission thereof.

Have had the same under consideration, and respectfully report the same back without recommendation

WAYMIRE, Chairman.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

WHEREAS, The Controller of State has, without order of the Assembly, stricken from the payroll of this House the name of W. T. Hamilton, Clerk, and J. B. Stanton, Sergeant-at-Arms, of the minority of this Assembly; therefore, be it

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby instructed to replace the names of W. T Hamilton, Clerk, and J. B. Stanton, Sergeant-at-Arms, of said minority, upon said payroll, to date from March 6, 1897, and be retained until adjournment *sine die* of this Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that Stanton be put on payroll according to resolution, and that Hamilton receive pay from March 14th.

VOSBURG, Chairman.

Mr. Dennery moved that the report of the Committee on Attachés and Employés be laid on the table.

So ordered.

REPORT OF SPECIAL COMMITTEE.

SACRAMENTO, March 19, 1897.

To the Speaker and members of the Assembly:

GENTLEMEN: Your committee appointed on the 15th day of March, under the following resolution, to wit:

"*Resolved*, That a special committee of three be appointed by the Speaker to fully investigate the matter referred to by the Governor in his message received by this House on this date, in so far as it relates to employés or officers of the Assembly, and if the fault lies with any person or persons under the control of this Assembly, that the party or parties who may be implicated be dealt with as the law may direct," respectfully report as follows:

We find that Senate Bill No. 494 passed the Senate February 25th, and was transmitted to the Assembly in the following form, to wit:

An Act to amend Sections 354, 1489, 1491, 1495, 1497, 1501, 1503, and 1505, and to repeal Sections 1504 and 1506 of the Political Code, relating to State normal schools.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three hundred and fifty-four of the Political Code of California is hereby amended so as to read as follows.

Section 354. The normal schools at San José, at Los Angeles, and at Chico, and any normal school established by the Legislature of the State of California after the first day of January, eighteen hundred and ninety-seven, shall be known as state normal schools, and shall each have a board of trustees, constituted as follows: The Governor and Superintendent of Public Instruction shall be ex officio members of each board, and the president of each school shall be ex officio a member of the local board of the school with which he is connected; *provided*, he shall have no vote upon any charges or complaints made against himself, or upon his own employment or retention in his place. There shall also be four other members of the local board for each normal school, whose terms of office shall be four years and who shall be appointed by the Governor, by and with the advice and consent of the Senate of the State of California. It shall be the duty of the Governor, on or before the first day of July, eighteen hundred and ninety-seven, to appoint four trustees as members of each of the local boards, one to serve for one year, one for two years, one for three years, and one for four years, and thereafter to fill vacancies in such board, the terms of service thereafter to be for four years, and to begin July first of each fourth year.

SEC. 2. Section fourteen hundred and eighty-nine of the Political Code of California is hereby amended to read as follows:

Section 1489. The powers and duties of each board of trustees are as follows:

1. To elect a secretary, who shall receive such salary, not to exceed one hundred and fifty dollars per annum, as may be allowed by the board.

2 To prescribe rules for their government and the government of the school.

3. To prescribe rules for the report of officers and teachers of the school, and for visiting other schools and institutions.

4. To provide for the purchase of school apparatus, furniture, stationery, and text-books for the use of pupils

5. To establish and maintain model and training schools of the kindergarten, primary, and grammar grades, and require the students of the normal schools to teach and instruct classes therein.

6. To elect necessary teachers, upon their nomination by the president, fix their salaries, and prescribe their duties; *provided*, that after the teachers have served successfully and acceptably for a term of two years, their appointment thereafter shall be made for a term of four years at least, unless removed for cause, as hereinafter specified.

7. To control and expend all moneys appropriated for the support and maintenance of the school, and all moneys received for tuition, or donations.

8. To cause a record of all their proceedings to be kept, which shall be open to public inspection, at the school.

9 To keep, open to public inspection, an account of receipts and expenditures

10 To annually report to the Governor a statement of their transactions, and of all matters pertaining to the school

11. To transmit with such report a copy of the president's annual report.

12. To revoke any diploma by them granted, on receiving satisfactory evidence that the holder thereof is addicted to drunkenness, is guilty of gross immorality, or is reputedly dishonest in his dealings; *provided*, that such person shall have at least thirty days' previous notice of such contemplated action, and shall, if he asks it, be heard in his own defense.

SEC. 3. Section fourteen hundred and ninety-one of the Political Code of California is hereby amended to read as follows:

Section 1491. The time and place of regular meetings must be fixed by the by-laws of the board. The secretary must give written notice of the time and place of special

meetings to each member of the board. Each member shall be allowed his expenses in attending the meetings of the board, the bills to be audited the same as any bills for the maintenance of the school.

SEC. 4. Section fourteen hundred and ninety-two of the Political Code of California is hereby amended to read as follows:

Section 1492. There shall be a joint board of normal school trustees, to be composed of the members of the local boards of the several state normal schools. This board shall meet on the second Friday of April of each year, alternately at the different state normal schools. The first meeting after the passage of this Act shall be at Los Angeles, the second meeting at Chico, and the third at San José. Thereafter the places of meeting shall be in the order named above. A special meeting may be called by the Governor for the transaction of any urgent business affecting the welfare of any or all of the state normal schools It shall be the duty of this joint board:

1. To fill a vacancy in the presidency of any of the state normal schools, and to fix the salaries of the presidents of the several normal schools; *provided*, that no president of any normal school shall participate or vote upon the selection of a president, or fix the salary of any president of any of the state normal schools;

2. To sit as a board of arbitration in matters concerning the management of each state normal school that may need adjustment;

3. To dismiss a teacher from either of the state normal schools for good and sufficient cause, after having been elected as designated under section fourteen hundred and eighty-nine of this Code;

4. To prescribe a series of text-books for use in the state normal schools;

5. To prescribe a uniform course of study, and time and standard for graduation from the state normal schools;

6. To prescribe a uniform standard of admission for students entering the normal schools;

7. The joint board shall also have the power to pass any general regulations that may be applied to all of the state normal schools, thus affecting their well-being;

8. Members in attending the meetings of the joint board shall receive mileage while in actual attendance upon the meeting, the same to be paid out of any appropriation made by the Legislature for that purpose;

9. The Superintendent of Public Instruction shall be the secretary of the joint board. The secretary shall keep a full record of all proceedings of the joint meetings of the trustees, and shall notify the secretary of each board of trustees of any changes made in the course of study or the text-books to be adopted

SEC. 5. Section fourteen hundred and ninety-five of the Political Code of California is hereby amended to read as follows:

Section 1495. Teachers holding valid certificates to teach in any county in this State may be admitted to any state normal school in the State.

SEC. 6. Section fourteen hundred and ninety-seven of the Political Code of California is hereby amended to read as follows:

Section 1497. Every person making application for admission as a pupil to the normal school must, at the time of making such application, file with the president of the school a declaration that he enters the school to fit himself for teaching, and that it is his intention to engage in teaching in the public schools of this State, or in the State or Territory where the applicant resides.

SEC. 7. Section fifteen hundred and one of the Political Code of California is hereby amended to read as follows:

Section 1501. The president of each state normal school must make a detailed annual report to the board of trustees, with a catalogue of the pupils, and such other particulars as the board may require or he may think useful.

SEC 8. Section fifteen hundred and three of the Political Code of California is hereby amended to read as follows:

Section 1503. First—The board of trustees of each state normal school, upon the recommendation of the faculty, may issue to those pupils who worthily complete the full course of study and training prescribed, diplomas of graduation, either from the normal department, the kindergarten department, or both

Second—Said diploma from the normal department shall entitle the holder thereof to a grammar grade certificate from any city, city and county, or county board of education in the State. One from the kindergarten department shall entitle the holder to teach in any kindergarten in the State.

Third—Whenever any city, city and county, or county board of education shall present to the State Board of Education a recommendation showing that the holder of a normal school diploma from the normal department has had a successful experience of two years in the public schools of this State, subsequent to the granting of such diploma, the State Board of Education shall grant to the holder thereof a document signed by the president and secretary of the state board, showing such fact The said diploma, accompanied by said document of the state board attached thereto, shall become a permanent certificate of qualification to teach in any primary or grammar school of this State, valid until such time as said diploma may be revoked, as provided in subdivision thirteen of section fourteen hundred and eighty-nine of this Code.

Fourth—Upon presentation of the diploma and document referred to in section fifteen hundred and three, subdivision third thereof, to any city, city and county, or county superintendent of schools, said superintendent shall record the name of the holder thereof in a book provided for that purpose in his office, and the holder shall

henceforth be absolved from the requirements of subdivision first of section sixteen hundred and ninety-six of this Code.

Fifth—Said diploma of graduation from any normal school in this State, when accompanied by a certificate granted by the faculty of the state university, showing that the holder thereof, subsequent to receiving said diploma, has successfully completed the prescribed course in the pedagogical department of the state university, shall entitle the holder to a high school certificate authorizing the holder to teach in any primary or grammar school, and in any high school in this State, except in those in which the holder would be required to teach languages other than English.

SEC. 9. Section fifteen hundred and four of the Political Code of the State of California is hereby repealed

SEC. 10. Section fifteen hundred and five of the Political Code of California is hereby amended to read as follows:

Section 1505 The Superintendent of Public Instruction must visit each school from time to time, inquire into its condition and management, enforce the rules and regulations made by the board, require such report as he deems proper from the teachers of the school, and exercise a general supervision over the same.

SEC. 11. Section fifteen hundred and six of the Political Code of California is hereby repealed.

On March 4th, the Assembly adopted the following amendments: Amend by striking out of Section 1, line 19, the words "ninety-seven," and inserting "ninety-nine"

Also, by striking out of Section 2, lines 18 and 19, the words "upon their nomination by the president."

On March 8th, the bill as thus amended passed the Assembly, and the same was duly transmitted to the Senate with the amendments attached, bearing the Assembly stamp "Adopted March 4, 1897, S J Duckworth, Chief Clerk."

The Senate refused to concur in the Assembly amendments, and on March 10th the Assembly receded from the same, and the bill was again transmitted to the Senate.

On March 11th, the bill was ordered to enrollment by the Senate, and was on March 12th reported by the officers of the Senate correctly enrolled The bill, as reported enrolled, was transmitted to the Governor After receipt by the Governor, it was discovered that the enrolled copy contained the amendments adopted by the Assembly, and which were subsequently receded from.

Upon a second enrollment, the first above-mentioned Assembly amendment was properly omitted from the bill, but the second-mentioned amendment was again improperly contained therein

These amendments, which were thus improperly omitted in the bill as enrolled, are the same matters referred to in the Governor's special message of March 15th.

The letters and telegrams referred to in the Governor's message as coming from one Henry French, then trustee of the Normal School at San José, we find correctly set forth in said message

We endeavored to reach Henry French, by subpœna duly issued, commanding his presence before your committee, but we were unable to secure his attendance until a late hour on March 18, 1897

While Mr. French emphatically denies any improper intention to unduly "block" legislation on Senate Bill No. 494, and ascribes but the purest of motives in his desire to secure good legislation in its defeat, and while such may have been the case, yet, to prevent any future attempt, we recommend that legislative enactment by forthwith adopting measures to adequately punish any unseemly interference with legislative proceedings.

We are amply justified in reporting to you our conclusion that the errors which crept into the enrolled bill are not due to any act of any officer of the Assembly, and particularly as to John Varcoe, Enrolling Clerk of the Assembly, who was mentioned in the Governor's message, and, upon investigation, found that he did not even handle the said Senate Bill No. 494, and was in no way connected therewith.

Finding that the errors occurred in the Senate, we have not felt authorized to pursue them to an ultimate conclusion. We merely state, however, that the Enrolling Clerk of the Senate claims that the errors were due to the fact that the amendments were attached to the bill, with nothing on their face to indicate that they had been receded from. This is true The history of the bill, as contained on the cover, shows that the amendments had been receded from. We report the above facts, not as intimating any conclusion of ours, for it is not within our province, but simply as circumstances under which it is claimed the errors were made. We recommend, in this respect, that hereafter whenever an amendment is receded from, it be so stamped upon its face

Respectfully submitted.

PRICE.
BRIDGFORD.

Report adopted.

RESOLUTION.

By Mr. Price:

Resolved, That the Controller be and he is hereby directed to draw his warrant, in favor of the following persons, on the Contingent Fund of the Assembly, for the amount set opposite their names, which is for services performed in connection with

the investigation of the Governor's message of March 15, 1897, concerning Senate Bill No. 494 and Assembly Bill No. 688, and the Treasurer is directed to pay the same:

D. Long, stenographer and typewriting	$134 80
Western Union Telegraph Company	5 25
E. I. Price, clerk, four days	20 00
A. G. Fisher, messenger, four days	20 00
William O. Banks, subpœnas	8 00
	$188 05

Resolution adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR. SPEAKER: Your Committee on Claims, to whom was referred Senate Bill No. 609—An Act making an appropriation to pay the claim of J. W. Sibole.

Also: Assembly Bill No. 750—An Act for the relief of Joel G. Newbert, and to appropriate money therefor.

Also: Assembly Bill No. 961—An Act making an appropriation to pay the claim of James W. Travers, for advertising the constitutional amendments in the Alameda Daily Evening Encinal.

Also: Assembly Bill No. 171—An Act to pay the claim of Bernard Garvey against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 869—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 without recommendation.

BELSHAW, Chairman.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1897.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred Assembly Concurrent Resolution No. 8, have had the same under consideration, and respectfully report the same back without recommendation.

CHYNOWETH, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 39—An Act to amend Section 2643 of the Political Code, relating to the duties of the Boards of Supervisors.

Also: Assembly Bill No. 91—An Act to amend Sections 2731, 2733, 2732, 2735, in Article VIII of road laws.

Also: Assembly Bill No. 116—An Act to provide for the government and organization of road districts.

Also: Assembly Bill No. 668—An Act regulating the width of tires upon wagons and other vehicles to be used upon the highways of the State of California, and providing penalties for violations of the provisions of this Act.

Also: Assembly Bill No. 718—An Act to amend Section 2643 of the Political Code, relating to the powers and duties of Boards of Supervisors, with regard to roads and highways.

Have had the same under consideration, and respectfully report the same back without recommendation.

CLARKE, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No 698—An Act to provide for the examination of scaffolding, ropes, blocks, pulleys, and tackle used in the construction, repairing, or painting of buildings, and providing for the inspection thereof

Also: Assembly Bill No. 575—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.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

DENNERY, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 34—An Act to amend Section 3 of an Act approved February 16, 1889, entitled "An

Act to amend Sections 10, 22, and 27 of 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, relating to the collection of assessments in irrigation districts.

Also: Assembly Bill No. 345—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 39 thereof.

Also: Assembly Bill No. 346—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 funding the bonded indebtedness of such irrigation districts.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be permitted to withdraw the same, as the subject-matter is contained in other bills.

Also: Assembly Bill No. 935—An Act to provide for the correction of omissions or irregularities in the organization, issuance, sale, or transfer of bonds, coupons, or other evidences of indebtedness by 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—have had the same under consideration, and respectfully report the same back without recommendation.

LINDENBERGER, Chairman.

RESOLUTIONS.

By Mr. Jones:

Resolved, That whereas, by reason of services rendered by Alexander Barbe, as Assistant Porter in the coatroom of the Assembly since the 5th day of March, 1897, the said Barbe be and he is hereby allowed the per diem as filed by law until the expiration of the session; that the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly, and the Treasurer is directed to pay same.

By Mr. Pohlmann:

Resolved, That L. C. Robinson be paid $4 per diem, as Watchman of the Assembly Chamber from March 7, 1897, until the close of the session; and the Controller be and he is hereby ordered to draw his warrant for the amount due, and the Treasurer is directed to pay the same.

By Mr. Breiling:

Resolved, That a warrant for $24 be drawn on the contingent expenses of the Assembly in favor of Grant Towle, for services rendered as Assistant Clerk from March 6th to March 10th; that the Controller be instructed to draw said warrant, and the Treasurer be instructed to pay the same.

Resolutions referred to Committee on Attachés and Employés.

RESOLUTION—(CASES OF URGENCY).

By Mr. Dibble:

Resolved, That Senate Bills Nos. 309, 330, 694, 31, 394, 423, 375, 462, 248, 289, 468, 52, 439, 602, 487, and 453, and Senate Substitute for Senate Bill No. 471, and each of them, present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that bills shall be read on three several days in each house, is hereby dispensed with, and it is ordered that said bills and each of them be read the second and third times, and placed upon their passage.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Allen, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble, Dolan, Elliott, Emmons, Ennis, Godfrey, Goff, Goodhue, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Robinson, Rubell, Ryan, Shanahan, Sims, Stansell, Strain, Treacy, Valentine, Vosburg, Waymire, and Wright—55.

NOES—None.

MOTIONS.

Mr. Ennis moved to reconsider the vote whereby Senate Bill No. 513 was finally passed.

The ayes and noes were demanded by Messrs. Treacy, Dolan, and Ryan.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Allen, Belshaw, Breiling, Dolan, Mahoney, McGrath, Ryan, Shanahan, Toland, and Treacy—10.

NOES—Messrs. Anderson, Austin, Bettman, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Clarke, Cutter, Damon, Dennery, Dibble, Elliott, Ennis, Goff, Goodhue, Houghton, Hudson, Keables, Keegan, Kelsey, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, North of Alameda, North of Yolo, Power of Placer, Price, Robinson, Rubell, Sims, Stansell, Strain, Valentine, Vosburg, and Waymire—40.

Mr. Leavitt moved that the Assembly now take up the consideration of Assembly Constitutional Amendment No. 34.

So ordered.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 34.

A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution, in relation to sessions of the Legislature.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on the fourth day of January, Anno Domini one thousand eight hundred and ninety-seven, two thirds of the members elected to each of the two houses voting in favor thereof, hereby propose that section two of article four of the Constitution of the State of California be amended to read as follows:

Section 2. The sessions of the Legislature shall commence at twelve o'clock meridian on the first Monday after the first day of January next succeeding the election of its members, and shall be biennial, unless the Governor shall in the interim convene the Legislature by proclamation. The Legislature shall then remain in session for twenty-five days, after which it must adjourn to some date not less than thirty nor more than sixty days from the time of adjournment. If the two houses fail to agree upon a time at which they will resume their session, the Governor shall, by proclamation, fix a date for such reconvening, which shall be within the limits above prescribed. Upon reassembling, the Legislature shall complete its session. No pay shall be allowed to members for a longer period than seventy-five days, and no bill shall be introduced in either house, except at the first twenty-five days of the session, without the consent of three fourths of the members thereof.

The question being on the adoption of the constitutional amendment.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Allen, Austin, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Ennis, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McGrath, North of Yolo, Pohlmann, Price, Robinson, Rubell, Ryan, Shanahan, Sims, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—57.

NOES—Messrs. Anderson, Belshaw, North of Alameda, and Mr. Speaker—4.

SPECIAL ORDER.

Assembly Constitutional Amendment No. 9—Proposed amendment to Section 7 of Article I of the Constitution, relative to juries.

Mr. Dibble moved to indefinitely postpone Assembly Constitutional Amendment No. 9.

So ordered.

CONSIDERATION OF CONSTITUTIONAL AMENDMENTS.

SENATE CONSTITUTIONAL AMENDMENT No. 44.

A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by adding a new section, to be known and designated as Section 5½, Article VI, thereby providing for the organization of a court, to be known as the Court of Claims.

The Legislature of the State of California, at its thirty-second session, commencing on the fourth day of January, Anno Domini one thousand eight hundred and ninety-seven, two thirds of all the members elected to each of the two houses of the Legislature voting in favor thereof, propose that a new section be added to the Constitution of the State of California, to be known and designated as section five and one half of article six, as follows:

Section 5½ The Court of Claims shall consist of any three Judges of the Superior Court, who may be requested by the Governor to hold court at the regular terms thereof. The Court of Claims shall have exclusive jurisdiction to hear and determine all claims of every kind and character against the State, and its judgment thereon shall be final. The terms of the Court of Claims shall be held as follows:

In the City of Los Angeles, commencing on the second Monday of March;

In the City and County of San Francisco, commencing on the second Monday in July; and

In the City of Sacramento, commencing on the second Monday of November of each year.

The judges holding such term of court shall receive no extra compensation therefor, but shall receive their actual expenses, to be paid out of the General Fund of the State treasury. The Legislature shall enact all laws necessary to organize such court, to provide the procedure thereof, and to carry out the provisions of this section.

The question being on the adoption of Senate Constitutional Amendment No. 44.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Damon, Dennery, Dibble, Dolan, Elliott, Emmons, Ennis, Godfrey, Goff, Goodhue, Houghton, Hudson, Keables, Keegan, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Ryan, Shanahan, Sims, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—56.

NOES—None.

MOTIONS.

Mr. Cutter moved that the Assembly now take up Senate Bill No. 591.

So ordered.

Senate Bill No. 591—An Act to provide for the funding and refunding of the indebtedness of levee and protection 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. Allen, Anderson, Belshaw, Bettman, Boone, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Elliott, Emmons, Ennis, Godfrey, Goff, Goodhue, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Sims, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Mr. Bridgford moved that Assembly Constitutional Amendment No. 36 be reported back from the committee, without engrossment.

So ordered.

Mr. Bridgford moved that Assembly Constitutional Amendment No. 36 be considered engrossed.

So ordered.

SENATE CONSTITUTIONAL AMENDMENT No. 10.

A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by adding a new section, to be known and designated as Section 7½, Article XI thereof, providing for the framing, by the inhabitants of counties, of local county government acts for their own government.

The Legislature of the State of California, at its thirty-second session, commencing on the fourth day of January, Anno Domini one thousand eight hundred and ninety-seven, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby proposes that a new section be added to the Constitution of the State of California, to be known and designated as section seven and one half, article eleven thereof, as follows:

Section 7½. The inhabitants of any county may frame a county government act for their own government, relating to the matters hereinafter specified, and consistent with and subject to, the Constitution and laws of this State, by causing a board of fifteen freeholders who have been for at least five years qualified electors of such county, to be elected by the qualified electors of such county, at any general or special election, whose duty it shall be, within ninety days after such election, to prepare and propose a county government act for such county, which shall be signed in duplicate by the members of such board, or a majority of them, and returned, one copy thereof to the Board of Supervisors or other legislative body of such county, and the other copy to be sent to the recorder of deeds of the county. Such proposed county government act shall then be published in two papers of general circulation in such county, or if there be not two such papers, then in one only, for at least twenty days; and within not less than thirty days after such publication it shall be submitted to the qualified electors of such county, at a general or special election, and if a majority of such qualified electors voting thereon shall ratify the same, it shall thereafter be submitted to the Legislature for its rejection or approval, as a whole, without power of alteration or amendment and if approved by a majority of the members elected to each house, it shall be the county government act of such county, and shall in such case become the organic law thereof and supersede any existing county government act, and all amendments thereof, and all special laws inconsistent with such county government act.

A copy of such county government act, certified by the president of the Board of Supervisors, or other legislative body of such county, and authenticated by the seal by such county, setting forth the submission of such county government act to the electors, and its ratification by them, shall be made in duplicate and deposited, one in the office of the Secretary of State, the other, after being recorded in the office of the recorder of deeds in the county, among the archives of the county.

All courts shall take judicial notice thereof. The county government act so ratified may be amended, at intervals of not less than two years, by proposals therefor, submitted by the legislative authority of the county to the qualified electors thereof, at a general or special election held at least forty days after the publication of such proposals for twenty days in a newspaper of general circulation in such county, and ratified by at least three fifths of the qualified electors voting thereon, and approved by the Legislature as herein provided for the approval of the county government act. In submitting any such county government act, any alternative article or proposition may be presented for the choice of the voters, and may be voted on separately without prejudice to others

It shall be competent in all county government acts framed under the authority given by this section, to provide for the manner in which, the times at which, and the terms for which the several township and county officers, other than Judges of the Superior Court, shall be elected or appointed; for their compensation; for the number of such officers; for the consolidation or segregation of offices; for the number of deputies that each officer shall have, and for the compensation payable to each of such deputies; for the manner in which, the times in 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; also, to prescribe the manner and method by which all elections by the people shall be conducted; and may in addition determine the tests and conditions upon which electors, political parties, and organizations may participate in any primary election

Whenever any county has, in the manner and method herein pointed out, adopted any county government act, and the same shall have been approved by the Legislature as aforesaid, the directions of sections four and five of this article, providing for the uniformity of a system of county governments throughout the State, and likewise providing for the election and appointment of officers, and the regulation of their compensation, shall not apply. Said county government act shall, as to any of the matters hereinabove provided for and declared by such county government act, not be subject to any law or amendment enacted by the Legislature, except by amendment first submitted to the electors and ratified in the manner hereinabove set forth.

The question being on the adoption of Senate Constitutional Amendment No. 10.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Allen, Anderson, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Camnetti, Canavan, Chynoweth, Clarke, Cutter, Damon,

Dennery, Dibble, Dolan, Elliott, Emmons, Ennis, Godfrey, Goff, Goodhue, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Shanahan, Sims, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—62.

NOES—Mr. Stansell—1.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Constitutional Amendment has been correctly engrossed:

Assembly Constitutional Amendment No. 36—Proposition to amend Section 15 and Section 16 of Article V of the Constitution of the State of California.

AUSTIN, Chairman.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 36.

Proposition to amend Section 15 and Section 16 of Article V of the Constitution of the State of California.

The Legislature of the State of California, at its thirty-second session, two thirds of all the members elected to the Senate and Assembly voting therefor, proposes to the qualified electors of the State of California the following amendments to Sections 15 and 16 of Article V of the Constitution.

Section 15 of Article V of the Constitution is hereby amended so as to read as follows:

Section 15. A Lieutenant-Governor shall be elected at the same time and place, and in the same manner as the Governor, and his term of office and his qualifications shall be the same. He shall be President of the Senate, but shall only have a casting vote therein.

Section 16 of Article V of the Constitution is hereby amended so as to read as follows:

Section 16. In case of the impeachment of the Governor, or his removal from office, death, inability to discharge the powers and duties of his office, resignation, or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant-Governor for the residue of the term, or until the disability shall cease. And should the Lieutenant-Governor be impeached, displaced, resign, die, or become incapable of performing the duties of his office, or be absent from the State, the President pro tempore of the Senate shall act as Governor until the vacancy in the office of Governor shall be filled at the next general election when members of the Legislature shall be chosen, or until such disability of the Lieutenant-Governor shall cease. In case of a vacancy in the office of Governor for any of the reasons above named, and neither the Lieutenant-Governor nor the President pro tempore of the Senate succeed to the powers and duties of Governor, then the powers and duties of such office shall devolve upon the Speaker of the Assembly, until the office of Governor shall be filled at such general election

The question being on the adoption of Assembly Constitutional Amendment No. 36.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs Allen, Anderson, Austin, Belshaw, Bettman, Breiling, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cutter, Damon, Dibble, Elliott, Emmons, Ennis, Godfrey, Goff, Goodhue, Harris, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McClellan, McGrath, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Shanahan, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—55

NOES—None.

REPORT OF STANDING COMMITTEE.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 39—A resolution to propose an amendment to Article VI of the Constitution of the State of California, relating to the judicial department—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

SIMS, Chairman.

RECESS.

At twelve o'clock and thirty minutes P. M., on motion of Mr. Jones, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock and thirty minutes P. M.
Speaker Coombs in the chair.
Quorum present.

REPORT OF INVESTIGATING COMMITTEE.

SACRAMENTO, March 19, 1897.

MR SPEAKER: Your committee for the investigation of charges of bribery made by the San Francisco Examiner, beg leave to report the expenses of the investigation, as follows:

Theodore Z. Hardee and A. D. D'Ancona, official reporters, from March 2d to 12th, inclusive—Reporting and transcribing 545 pages, six copies, 1,363 folios @ 15 cents, per 5 cents copy	$545 20
Western Union Telegraph Company, dispatches	1 91
William T. Hamilton, Sergeant-at-Arms, mileage and expenses	94 65
Service of subpœnas	36 00
Witness fees and mileage—twenty-two witnesses, mileage allowed by law and witness per diem of $2	226 60
Total	$904 36

BELSHAW, Chairman.

Report adopted.

MOTION.

Mr. Caminetti moved that the Assembly now take up for consideration Assembly Bill No. 764.

So ordered.

Assembly Bill No. 764—An Act to provide for the construction of county highways in the several counties of the State, and empowering Boards of Supervisors to levy taxes therefor.

Read second time.

The following amendments were submitted:

AMENDMENT No. 1.

Insert in Section 1, line 2, page 1, after the word "within," the following: "sixty."

Adopted.

AMENDMENT No. 2.

Strike out all of Section 4, and insert the following:

SEC. 4. The highways established under the provisions of this Act shall be constructed in such manner as to secure firm, even, and substantial highways; they shall be provided with all necessary side drains and waterways to prevent overflow or erosion by water, and with substantial bridges or culverts at all crossings or watercourses.

Adopted.

AMENDMENT No. 3.

Insert in Section 6, line 2, after the word "exceed," the following: "thirty."

Adopted.

AMENDMENT No. 4.

Strike out all of Section 7 and insert the following:

SEC 7 The Board of Supervisors must, at the time the apportionment of other county funds are made in each year, apportion in equal shares all moneys in said county highway fund to the several townships in the county, and keep the same separately in said fund credited to each township.

Adopted.

AMENDMENT No. 5.

Insert in Section 14, line 11, at beginning of line, the following: "sixty."

Adopted.

AMENDMENT No. 6.

Insert in Section 14, line 45, after the word "exceed," the following: "five."

Adopted.

AMENDMENT No. 7.

Insert in Section 14, line 61, after the word "exceed," the following: "seven."

Adopted.

Assembly Bill No. 764 ordered to printer and third reading.

MOTION.

Mr. Hudson moved that the Assembly do now take up Senate Bills Nos. 516 and 467.

Mr. Cutter moved to amend the motion of Mr. Hudson by making both bills a special order, immediately after the ones made a special order this morning.

Amendment accepted by Mr. Hudson.

Motion, as amended, carried, and so ordered.

RESOLUTION.

Resolved, That G. H. Smith be and he hereby is appointed Porter to the rear gallery at a per diem of $4, the same to be paid out of the Contingent Fund of the Assembly, and to commence and include the 6th day of March, and continue until the end of the thirty-second session.

Referred to Committee on Attachés and Employés.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 19, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 19th day of March passed Assembly Bill No 729—An Act to amend Section 3571 of the Political Code, relating to the repayment of purchase price of land sold which is not the property of the State, and providing for a certificate of restitution to issue when the certificate of purchase to such land has been annulled for non-payment of interest.

Also: Assembly Bill No. 842—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

Also: On the 19th day of March refused to pass Assembly Bill No. 327—An Act adding a new section to the Civil Code, relating to the location of and to compel the construction of depots, stations, sidetracks, switches, turnouts, and spurs by transportation companies in the State of California, and fixing a penalty for failure to comply therewith

Also: On the 19th day of March, 1897, refused passage to Assembly Bill No 277—An Act to amend Section 3766 of the Political Code of the State of California, relating to the publication of the delinquent tax list.

Also: On the 19th day of March amended, and passed as amended, Assembly Bill No. 796—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 bonds.

Also: On the 19th day of March passed Assembly Bill No. 897—An Act to authorize the Governor to employ an agent to collect certain claims due the State of California by the United States, and to provide compensation for such services.

Also: Assembly Bill No. 213—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of The Southern Pacific Company vs. The Board of Railroad Commissioners of the State of California.

Also: Amended, and passed as amended, Assembly Bill No. 340—An Act making an appropriation to pay the claim of Clement Bennett, for reporting the case of The Southern Pacific Company vs. The Board of Railroad Commissioners.

Also: Passed Assembly Bill No. 231—An Act making an appropriation to pay the claim of W. N. Hendricks, for the arrest of John Keener for attempted highway robbery.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Assembly Bills Nos 897, 213, 729, 842, and 231 ordered to enrollment.

Assembly Bill No. 796—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 bonds.

The following Senate amendments were submitted:

Amend by striking out of Section 4, line 25, the words "a majority" and inserting "two thirds"; also, in line 27 strike out words "a majority" and insert in lieu thereof the following: "more than one third."

Also: Amend by striking out on page 4, Section 6, lines 20 and 21, the words "in the manner and within the time herein provided," and in lieu thereof inserting "within three months from the time of taking such appeal"

Also: Amend by striking out of Section 5, line 1, the words "may at any time," and inserting the following: "shall within thirty days"

Also. Amend by striking out of Section 5, line 11, the word "ten," and inserting the following: "thirty."

Also: Amend by striking out of Section 5, line 13, the word "ten," and inserting the following. "thirty."

Also: Amend by striking out of Section 5, line 18, the word "rendition," and inserting the following: "entry."

Also: Amend by inserting in Section 6, line 17, after the word "action," the words "and thereafter the same proceedings shall be had in such action as are hereinbefore provided for in the preceding section hereof in actions brought by the board of directors, and the same matters determined and adjudicated by the court therein."

Also: Amend by inserting in Section 6, line 16, after the words "assessment-payer," the words "or any one interested."

Also: Amend by inserting in Section 6, line 16, before the word "any," "Notice of said action shall be given by publication of summons therein, in the same manner and for the same time as required in the preceding section hereof in actions brought by the board, and at any time within thirty days after the full publication of such summons, in the manner herein provided."

Also: Amend by striking out of Section 6, line 2, the words "within thirty days," and inserting the following: "after thirty days and within ninety days."

Also: Amend by inserting in Section 5, line 14, after the word "bonds," the words "and may in the same action or proceeding contest the validity of any bonds, coupons, or other evidences of indebtedness, referred to in the petition for funding and proposed to be funded, and if any such bonds, coupons, or evidences of indebtedness be shown to be invalid, then the same shall only be funded for the amount of such proportion thereof as equals the fair and reasonable value of whatever the district may have received in consideration therefor, together with unpaid interest thereon, and the amount of such proportion shall be determined and adjudicated by the court in said action or proceeding."

Also: Amend by inserting in Section 16, line 9, after the word "exchanged," the words "*and provided further*, that no bonds shall be so exchanged, except in accordance with the judgment of the Superior Court in the action hereinbefore provided for, or until after final judgment shall have been entered in said action"

Also: Amend by striking out of Section 9, line 8, the word "the," and all of lines 9, 10, and 11

Also: Amend by striking out of Section 14, line 25, the word "generally."

Also: Amend by inserting in Section 15, line 5, after the word "bond," the words "and shall have no power to deliver the same in exchange for any bonds or indebtedness proposed to be funded until the bonds or evidences of indebtedness proposed to be funded shall have been surrendered to him and he shall have been ordered by the board of directors of the district, by an order duly entered in their records, to make such delivery"

Also: Amend by inserting in Section 16, line 8, after the word "par," the words "and accrued interest"

Also: Amend by inserting in Section 16, line 2, after the word "value," the words "including accrued interest."

Also: Amend by striking out of Section 18, lines 3 and 4, the words "in the same manner as any bonds regularly issued and sold under existing laws."

Also: Amend by striking out of Section 18, line 2, the words "shall have the same force and effect and."

Also: Amend by inserting in Section 14, line 19, after the word "value," the words "including accrued interest."

Also: Amend by striking out of Section 15, line 5, all after the word "bonds," and all of lines 6, 7, 8, 9, and 10, and inserting in Section 13, line 4, after the word "bond," the following: "and shall have no power to deliver the same in exchange for any bonds or indebtedness proposed to be funded until the bonds or evidence of indebtedness proposed to be funded shall have been surrendered to him, and he shall have been ordered by the board of directors of the district, by an order duly entered on their records, to make such delivery."

The question being, "Shall the Assembly concur in the Senate amendments to Assembly Bill No. 796?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Cutter, Dibble, Dolan, Elliott, Ennis, Godfrey, Goff, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Power of Placer, Price, Rubell, Ryan, Shanahan, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 796 ordered to enrollment.

Assembly Bill No. 340—An Act making an appropriation to pay the claim of Clement Bennett for reporting the case of The Southern Pacific Company vs. The Board of Railroad Commissioners.

The following Senate amendment was submitted:

Amend by inserting enacting clause: "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 to Assembly Bill No. 340?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Anderson, Arnerich, Austin, Bettman, Boone, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Dibble, Dolan, Elliott, Ennis, Godfrey, Goff, Guy, Harris, Houghton, Jones, Kelly, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Power of Placer, Rubell, Shahahan, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—44.

NOES—None.

Assembly Bill No. 340 ordered to enrollment.

RESOLUTION.

WHEREAS, George Senf, manager of the Western Union Telegraph Company, has refused to answer certain questions before the Committee on Commissions, Retrenchment, and Public Expenditures, pertinent and relevant to the issues involved in the investigation of the charges of bribery against members of this House in connection with Assembly Bill No. 410. Now, therefore, it is ordered that said George Senf be brought before the bar of the House, in open session, and be required to answer any and all questions touching such matter and motives thereto, and upon his refusal to so answer that the House take such action as may be in its power to enforce this order.

Adopted.

The witness was brought before the bar of the House.

The committee reported that witness now before the bar of the House refused to answer the following questions in the committee:

First—"Did you have any conversation with Mr. Jaynes about the telegram described in the Examiner of March 13th, 1897?"

Second—"Did you personally turn over to Mr. Jaynes any telegrams to-day?"

The Speaker directed that the questions be again propounded to the witness.

The questions were again asked the witness.

Witness answered the questions.

Mr. Dibble moved that the committee be required to withdraw and pursue the investigation of this case.

The previous question was demanded by Messrs. Dennery, Bettman, and Price.

The question being, "Shall the main question be now put?"

So ordered.

Motion carried, and it was so ordered.

MOTION.

Mr. North, of Yolo, moved that Senate Bill No. 460 be recalled from the Senate for further consideration.

So ordered.

RESOLUTION—(CASE OF URGENCY).

By Mr. Guy:

Resolved, That Assembly Bill No 990 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Pending the announcement of the result of the roll call, Mr. Guy moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Austin, Belshaw, Bridgford, Burnham, Caminetti, Chynoweth, Clarke, Cross, Cutter, Dennery, Dibble, Dolan, Elliott, Ennis, Fontana, Godfrey, Goff, Guy, Harris, Henry, Houghton, Hudson, Keables, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Ryan, Shanahan, Sims, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker.

Mr. Price moved that further proceedings under call of the House be dispensed with.

Lost.

Warrants were issued for the following members, and the Sergeant-at-Arms was directed to bring them before the bar of the House: Messrs. Aldridge, Allen, Anderson, Arnerich, Bettman, Boone, Breiling, Burnett, Canavan, Cartwright, Damon, Dryden, Emmons, Foreman, Gately, Goodhue, Hill, Jones, Keegan, Malcolm, Mead, Melick, Moultrie, McCandlish, McClellan, Power of San Francisco. Rubell, Sanford, Soward, and Waymire.

At four o'clock P. M., the Speaker called Mr. Clarke to the chair.

Mr. Price moved that further proceedings under call of the House be dispensed with.

So ordered.

The result of the roll call was announced, and the resolution suspending the constitutional provision adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Ennis, Fontana, Godfrey, Goff, Guy, Harris, Henry, Houghton, Hudson, Keables, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy,

McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 990—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes.

Read second time.

The following amendments were submitted by Mr. Caminetti:

Amend by striking out of Section 1, lines 18 and 19, the words "four hundred,' and inserting the following: "three hundred and forty."

Lost.

Also: Amend by striking out of Section 1, lines 11 and 12, the words "three hundred and forty-three," and inserting the following: "one hundred and fifty-two."

The question being on the adoption of the amendment offered by Mr. Caminetti.

The ayes and noes were demanded by Messrs. Price, Jones, and Cross.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Boone, Bridgford, Caminetti, Cutter, Dolan, Elliott, Houghton, Landsborough, Lindenberger, Mead, Ryan, Toland, and Treacy—13.

NOES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bettman, Canavan, Chynoweth, Clarke, Damon, Dibble, Fontana, Godfrey, Guy, Harris, Hudson, Keables, Kelly, Kelsey, Leavitt, Malcolm, North of Yolo, Price, Robinson, Sims, Strain, Vosburg, Waymire, and Mr Speaker—28.

Mr. Guy moved that Assembly Bill No. 990 be considered engrossed, and ordered to third reading.

So ordered.

Assembly Bill No. 990—An Act to amend Section 3713 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. Anderson, Arnerich, Austin, Belshaw, Boone, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cutter, Damon, Dennery, Dibble, Elliott, Ennis, Fontana, Godfrey, Goff, Goodhue, Guy, Harris, Houghton, Hudson, Jones, Keables, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, North of Alameda, North of Yolo, Power of Placer, Price, Robinson, Ryan, Shanahan, Sims, Strain, Toland, Treacy, Vosburg, and Waymire—48.

NOES—None.

Title read and approved.

At four o'clock and forty minutes P. M., Speaker Coombs resumed the the chair.

REPORT OF CONFERENCE COMMITTEE.

SACRAMENTO, March 19, 1897

MR SPEAKER: The undersigned, a conference committee appointed by the Assembly to confer with the like committee appointed on the part of the Senate with reference to disagreement on Assembly Bill No. 937, respectfully report, recommending:

That the Assembly concur in striking from lines 28 and 29, Section 1, "$9,800," and inserting "$7,200."

Also, strike out lines 40 and 41, Section 1, and insert instead "for salary of phonographic reporters of Supreme Court, $10,800."

Also, strike from lines 42 and 43, "$2,400," and insert "$3,000."

That the Senate recede from striking out of lines 227 and 228, Section 1, page 7, "$32,000," and inserting "$47,500."

That the Assembly concur in appropriation for one additional company, National Guard, and one company Naval Reserve, lines 240 to 248, inclusive.

That the Assembly concur in line 255, Section 1, page 8, by striking out "$40,000," and inserting "$30,000, for National Guard encampment."

That the Senate recede from its amendment in lines 255 to 363, inclusive, providing for $40,000 revolving fund for State text-books.

That the Assembly concur in Senate amendments segregating salaries from maintenance of public institutions.

That the Assembly concur in lines 354 and 357, inclusive, Section 1, page 11, increasing the allowance of San Quentin Prison $24,000

That the Assembly concur in increasing the allowance for improvement of grounds at the State Normal School, San José, from $2,500 to $5,000

That the Assembly concur in increasing allowance for improvement of grounds at the State Normal School, Los Angeles, from $2,000 to $3,000.

That the Assembly concur in increasing the allowance for the restoration and preservation of fish, from $15,000 to $20,000.

That the Assembly concur in striking out line 440, for pure-wine labels.

That the Assembly concur in increasing the allowance for maintenance of State hatcheries, from $15,000 to $20,000, lines 449 and 450.

That the Assembly concur in insertion of lines 468 to 475, inclusive, as follows: Inserting in Section 1, between 487 and 488, the words "for salaries of the commissioners for the department of highways, $18,000; for salary of secretary of department of highways, $3,000; for salary of the stenographer of the department of highways, $2,400; for traveling and contingent expenses of department of highways, $8,500."

That the Senate recede from the amendment reducing the allowance to the State Agricultural Society from $40,000 to $35,000.

That the Assembly concur in the amendment increasing the allowance to Agricultural Society No. 7 from $2,000 to $3,000

That the Senate recede from its amendment increasing the allowance to Agricultural Society No. 12 from $3,000 to $3,500.

That the Assembly concur in increasing the allowance to Agricultural District No. 24 from $2,000 to $3,000.

That the Assembly concur in reducing the allowance to Agricultural District No. 35 from $4,000 to $3,500.

That the Assembly concur in reducing allowance to Agricultural District No. 38 from $3,000 to $2,000.

That the Assembly concur in the amendment to Section 4, transposing the words "without the consent of the State Board of Examiners."

That the Assembly concur in Senate amendment to Section 5, striking from line 5, the word "unanimous"; striking from line 6 the words "every member," and inserting in lieu thereof the words "a majority thereof"; and in striking out all of Section 5, after the word "appropriation," in line 12.

That the Senate recede from amendment "*a*," to strike from page 3, Section 1, line 56, the word "ten," and insert instead the word "five."

E. C. VOORHEIS,
W. F. PRISK,
EUGENE ARAM,
Senate Committee.

W. R. GUY,
WM. M. SIMS,
T. W. H. SHANAHAN,
Assembly Committee.

Mr. Guy moved that the report of the conference committee on Assembly Bill No. 937 be adopted.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Anderson, Austin, Belshaw, Boone, Bridgford, Burnham, Canavan, Chynoweth, Cutter, Damon, Dibble, Dolan, Elliott, Ennis, Fontana, Godfrey, Goff, Goodhue, Guy, Harris, Houghton, Hudson, Keables, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, North of Alameda, North of Yolo, Price, Robinson, Shanahan, Sims, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, and Mr Speaker—43.

NOES—Messrs Arnerich and Cross—2.

RESOLUTION.

By Mr. Canavan:

Resolved, That the Speaker of the House is hereby authorized and instructed to order the doors of the Assembly Chamber closed for the remainder of this day's session, and that the Sergeant-at-Arms be instructed to allow no members out unless by permission of the Speaker.

Lost.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 19, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 19th day of March adopted the report of the conference committee on Assembly Bill

No. 937—An Act making appropriations for the support of the government of the State of California, for the forty-ninth and fiftieth fiscal years—by the following vote: Ayes, 27; noes, 1.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

SENATE SPECIAL FILE.

Senate Bill No. 692—An Act making an appropriation for furnishing a ward building 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. Anderson, Arnerich, Austin, Belshaw, Boone, Bridgford, Burnham, Canavan, Cartwright, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Ennis, Fontana, Godfrey, Guy, Harris, Houghton, Hudson, Jones, Keables, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, McGrath, North of Alameda, North of Yolo, Power of Placer, Price, Robinson, Shanahan, Stansell, Strain, Toland, Vosburg, Waymire, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Senate Bill No. 89—An Act making an appropriation for the erection of a dairy barn and appurtenances 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. Arnerich, Austin, Belshaw, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Cross, Cutter, Damon, Dibble, Dolan, Elliott, Ennis, Fontana, Guy, Henry, Houghton, Hudson, Jones, Keables, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, McGrath, North of Alameda, Pohlmann, Power of Placer, Price, Ryan, Shanahan, Stansell, Strain, Toland, Treacy, and Waymire—41.

NOES—Mr. Speaker—1.

Title read and approved.

Senate Bill No. 87—An Act making an appropriation for enlarging the laundry of the Southern California State Asylum for the Insane and Inebriates to double its present 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 Arnerich, Austin, Belshaw, Boone, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Cutter, Damon, Dibble, Dolan, Elliott, Ennis, Fontana, Guy, Harris, Henry, Houghton, Hudson, Jones, Keables, Kelly, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Shanahan, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, and Mr. Speaker—44

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE LIBRARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR. SPEAKER: Your Committee on State Library, to whom was referred Assembly Bill No. 950—An Act to amend Section 2294 of Chapter III, Title V, of the Political Code, relating to the State Library—have had the same under consideration, and respectfully report the same back without recommendation.

STANSELL, Chairman.

MOTION.

Mr. Robinson moved that the language of Messrs. Shanahan and Jones be taken down, in discussion of Assembly Bill No. 314.

LANGUAGE OF MESSRS. SHANAHAN AND JONES.

Shanahan: "The fact remains that the bill was removed from the file by duplicity, trickery, and fraud."
Jones: "You are a damned liar"
Shanahan: "You are an infamous scoundrel, and ought to be kicked out of this House."

RECESS.

At five o'clock and twenty minutes P. M., on motion of Mr. Bettman, the House took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at eight o'clock P. M.
Speaker Coombs in the chair.
Quorum present.

RESOLUTION.

By Mr. Waymire:

WHEREAS, Messrs. Caminetti, Jones, and Shanahan this day, in open session of the Assembly, made use of language which is in the most offensive sense unparliamentary and grossly insulting to the House; now, therefore, be it
Resolved, That they and each of them be required to withdraw such language, and apologize to the House for the use of the same.

QUESTIONS OF PRIVILEGE.

Mr. Jones spoke to a question of personal privilege, and used the following words, which were ordered taken down:

If these gentlemen—Messrs Toland, Caminetti, and Shanahan—who are in favor of this cinch bill, had been in their seats last night they would have known what the course of this bill was.

Mr. Shanahan spoke to a question of personal privilege and used the following language, which was ordered taken down:

That this bill was removed from the file at eleven o'clock at night by duplicity, deceit, and fraud.

Mr. Dibble moved that further consideration of this resolution be made a special order for to-morrow, at ten o'clock A. M.
So ordered.

MOTIONS.

Mr. Lindenberger moved that the Assembly do take up Senate Bill No. 382 (Substitute for Assembly Bill No. 380) and Senate Bill No. 265 immediately after the consideration of the bills made a special order before this day.
So ordered.
Mr. Treacy moved to reconsider the vote whereby Senate Bill No. 451 was refused final passage.
So ordered.
Senate Bill No. 451—An Act to require ordinances and resolutions, passed by the City Council or other legislative body of any municipality, to be presented to the Mayor or other chief executive officer of such municipality for his approval.
The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Anderson, Austin, Belshaw, Boone. Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dolan, Emmons, Ennis, Fontana, Godfrey, Houghton, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Waymire, and Wright—50.

NOES—Messrs. Harris and Jones—2.

Title read and approved.

The Speaker ordered Senate Bill No. 451 returned to the Senate.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 549—An Act to provide for certain improvements and repairs at the San Quentin 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. Allen, Anderson, Austin, Belshaw, Bridgford, Burnham, Canavan, Chynoweth, Cross, Cutter, Dibble, Dolan, Elliott, Emmons, Ennis, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mulcrevy, McGrath, North of Alameda, Pohlmann, Power of San Francisco, Price, Robinson, Rubell, Ryan, Shanahan, Stansell, Strain, Toland, Treacy, Vosburg, Waymire, and Mr. Speaker—50.

NOES—Messrs. Boone, Burnett, Melick, and Valentine—4

Title read and approved.

RESOLUTION.

By Mr. Guy:

Resolved, That the Controller be and is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Postal Telegraph Company, and the Treasurer is directed to pay the same, for the sum of $72, for transmitting Assembly Joint Resolution No. 30 to the California delegation in Congress, as per bill attached hereto:

SACRAMENTO, CAL., March 6, 1897.

California State Assembly in account with Pacific Postal Telegraph-Cable Company.

March 2	Telegram to Hon. George C. Perkins, Washington	$8 00
	Telegram to Hon. James McLachlan	8 00
	Telegram to Hon. Stephen M. White	8 00
	Telegram to Hon James G. Maguire	8 00
	Telegram to Hon Grove L. Johnson	8 00
	Telegram to Hon. S. G. Hilborn	8 00
	Telegram to Hon J. A. Barham	8 00
	Telegram to Hon. W. W. Bowers	8 00
	Telegram to Hon. E. F. Loud	8 00
	Total	$72 00

Also:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer be instructed to pay the same, for the sum of $170 75, in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, from the Contingent Fund, to pay for articles, as per attached bills.

To W. O. Banks, Sergeant-at-Arms of Assembly:

March 1	To Sacramento Typewriting Exchange, numbering machine	$15 00
4	To Union Ice Co., ice	20 00
13	To Capital Electric Works, locks and keys	1 25
13	To Tom Scott, repairs and labor	13 75
17	To Capital Electric Works, locks and keys	2 25
20	Mrs Allie McCulloch, washing	8 00
	Blue Cañon Company, water	80 00
	John Breuner, repairing chairs, etc.	30 50
	Total	$170 75

To Sacramento Typewriter Exchange:

March 1—1 Paragon numbering machine, for Secretary's desk	$15 00

To Union Ice Company:

March 1 to 20—To 2000 pounds ice, @ 1 cent	$20 00

To Tom Scott:

March 13—Brass keyless receptacle	$0 75
Forty-five feet No. 14 first quality rubber insulated wire	2 25
Solder and tape and screws	75
Labor repairing electric wires that had been burned off	10 00
Total	$13 75

To Capital Electric Works

March 13—One latchkey for lock desk No. 27	$0 25
Two keys	1 00
15—Fixing lock and new key	50
Papering desk, etc.	75
New lock, 2 keys	1 00
Total	$3 50

To Mrs. Allie McCulloch, Dr.

March 5—To washing towels for gents' toilet, etc., from March 4th to March 20, 1897	$8 00

To Blue Cañon Water Co., Dr.:

March 20—To furnishing Blue Cañon water to Assembly from March 4, 1897, to March 20, 1897, inclusive, 16 days @ $5	$80 00

To John Breuner, Dr.:

March 2—Upholstering and repairing 2 chairs, $3 50	$7 00
Repairing 3 member's chairs, 75c	2 25
Two sets casters, 50c	1 00
5—Repairing 5 chairs, 75c	3 75
Two sets casters	1 00
8—Repairing 2 desks	2 50
Two sets casters	1 50
11—Repairing 4 chairs	2 50
1 member's chair	9 00
Total	$30 50

Resolution adopted.

SENATE SPECIAL FILE—(RESUMED).

Substitute for Senate Bills Nos. 357, 358, and 361—An Act to provide for additional buildings for the California Home for the Care and Training of Feeble-Minded Children; to equip the same for occupancy and use; to provide a system of electric lighting therein, 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. Allen, Austin, Belshaw, Bridgford, Burnham, Cross, Cutter, Dibble, Dolan, Fontana, Godfrey, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, Pohlmann, Power of Placer, Price, Robinson, Ryan, Sims, Soward, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—47.

NOES—Mr. Chynoweth—1.

Title read and approved.

At nine o'clock and five minutes P. M., Speaker Coombs called Mr. Bettman to the chair.

Senate Bill No. 399—An Act making an appropriation for the purpose of constructing a reservoir and laying and maintaining a line of

pipe from said reservoir to the Marshall monument, and for other 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. Allen, Anderson, Bettman, Bridgford, Burnham, Cross, Cutter, Dibble, Dolan, Elliott, Fontana, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Ryan, Sims, Soward, Stansell, Strain, Toland, Valentine, and Waymire—43.

NOES—Messrs. Chynoweth and Melick—2.

Title read and approved.

Senate Bill No. 291—An Act to provide for reseating the hall in the State Normal School building at San José, and for the building of a gymnasium, for the said State Normal School, and to provide 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. Austin, Belshaw, Bettman, Caminetti, Canavan, Clarke, Cross, Cutter, Dennery, Dibble, Dolan, Elliott, Emmons, Fontana, Goff, Goodhue, Guy, Houghton, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, Pohlmann, Price, Robinson, Ryan, Sims, Soward, Strain, Toland, Valentine, Waymire, and Wright—45.

NOES—Messrs. Anderson, Boone, Bridgford, Chynoweth, and Power of Placer—5.

Title read and approved.

Senate Bill No. 563—An Act making an appropriation to pay the deficiency in the appropriation for support of Preston School of Industry, at Ione, California, for the forty-eighth 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. Allen, Anderson, Austin, Belshaw, Boone, Bridgford, Caminetti, Canavan, Chynoweth, Cutter, Dibble, Ennis, Fontana, Godfrey, Goodhue, Guy, Hill, Houghton, Hudson, Keables, Kelly, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Mead, Melick, McGrath, Pohlmann, Power of Placer, Price, Rubell, Shanahan, Sims, Soward, Strain, Toland, Treacy, Valentine, Waymire, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Senate Bill No. 347—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirty-first 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. Allen, Anderson, Austin, Belshaw, Boone, Bridgford, Caminetti, Canavan, Chynoweth, Clarke, Cross, Elliott, Ennis, Godfrey, Guy, Hill, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Melick, McGrath, Pohlmann, Power of Placer, Price, Robinson, Rubell, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—46.

NOES—None

Title read and approved.

Senate Bill No. 309—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind for the grading and paving of Dwight Way, in front of the lands of the

Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under a contract with Guy H. Chick, Superintendent of Streets of the Town of Berkeley, California, his authority having been acquired under the general street law of this State.

Read second time, and ordered to third reading.

Senate Bill No. 359—An Act to provide for the fencing of the farm property, the further equipment of the farm, and for the laying out and care of the grounds at the California Home for the Care and Training of Feeble-Minded Children, 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. Anderson, Austin, Boone, Bridgford, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Elliott, Emmons, Ennis, Godfrey, Goodhue, Guy, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McGrath, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Shanahan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Waymire, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Senate Bill No. 292—An Act to provide for the deficiency in the appropriation for support and maintenance of the widows and orphans of Union soldiers, sailors, and marines, and for ex-Union army nurses, residing at Evergreen, in the County of Santa Clara, at the Home in said county, and under the auspices of the Woman's Relief Corps Home Association, for the forty-eighth 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. Allen, Anderson, Arnerich, Austin, Boone, Bridgford, Burnett, Caminetti, Canavan, Chynoweth, Cross, Cutter, Dibble, Dolan, Elliott, Ennis, Fontana, Godfrey, Goff, Goodhue, Henry, Houghton, Hudson, Jones, Kelly, Kelsey, Lindenberger, Mahoney, Malcolm, Mead, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Soward, Stansell, Stram, Toland, Valentine Vosburg, Waymire, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Senate Bill No. 521—An Act to provide for additional improvements at the State Insane Asylum located at Agnews, in the County of Santa Clara, 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. Arnerich, Austin, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Cross, Cutter, Dennery, Dolan, Ennis, Fontana, Godfrey, Goff, Goodhue, Harris, Henry, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Mulcrevy, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Ryan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, and Waymire—47.

NOES—None.

Title read and approved.

Senate Bill No. 398—An Act making an appropriation for supplying water, light, and fuel for the State Insane Asylum at Stockton.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Arnerich, Austin, Belshaw, Bettman, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Cross, Cutter, Dennery, Dibble, Elliott, Emmons, Ennis, Godfrey, Goodhue, Guy, Harris, Hudson, Jones, Keables, Kelly, Kelsey, Landsborough, Lindenberger, Malcolm, Mead, Mulcrevy, McGrath, North of Alameda, Power of Placer, Robinson, Rubell, Ryan, Soward, Toland, Treacy, Valentine, Vosburg, and Waymire—43.
NOES—Mr. Boone—1.

Title read and approved.

MOTION.

Mr. Leavitt moved that the Assembly do now take up Senate Bill No. 640.

So ordered.

Senate Bill No. 640—An Act authorizing the State Treasurer to furnish his office, and the vault therein, 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. Allen, Austin, Belshaw, Bettman, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Cross, Cutter, Dolan, Elliott, Emmons, Ennis, Fontana, Godfrey, Goff, Goodhue, Guy, Harris, Hill, Houghton, Hudson, Jones, Keables, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Rubell, Ryan, Shanahan, Soward, Stansell, Strain, Toland, Valentine, and Waymire—50.
NOES—Mr. Boone—1.

Title read and approved.

MOTION.

Mr. Dibble moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 309 and 31.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bills Nos. 309 and 31 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 309—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, for the grading and paving of Dwight Way, in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California.

Also: Senate Bill No. 31—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 now report the same back, and recommend that the same do pass.

COOMBS, Chairman.

Report adopted.

Senate Bill No. 309—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, for the grading and paving of Dwight Way, in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under a contract with

Guy H. Chick, Superintendent of Streets of the Town of Berkeley, California, 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. Allen, Anderson, Belshaw, Bettman, Boone, Bridgford, Burnham, Caminetti, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Emmons, Ennis, Fontana, Godfrey, Harris, Hill, Hudson, Jones, Keables, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mead, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Shanahan, Soward, Toland, Waymire, and Wright—46.

NOES—None.

Title read and approved.

Senate Bill No. 31—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.

At ten o'clock and forty-five minutes P. M., Speaker Coombs called Mr. Valentine to the chair.

Senate Bill No. 31—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 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 Caminetti, Canavan, Cutter, Dennery, Dibble, Dolan, Godfrey, Harris, Jones, Kelly, Kelsey, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McGrath, Pohlmann, Power of Placer, Power of San Francisco, Ryan, Treacy, and Waymire—23

NOES—Messrs. Anderson, Austin, Belshaw, Boone, Bridgford, Burnett, Burnham, Clarke, Damon, Elliott, Ennis, Fontana, Houghton, Keables, Keegan, Leavitt, Lindenberger, Melick, North of Alameda, North of Yolo, Price, Rubell, Stansell, Strain, Valentine, Vosburg, Wright, and Mr Speaker—28.

EXPLANATION OF VOTE.

By Mr. Landsborough:

MR. SPEAKER: I desire to explain my vote. My reason in voting for this bill is that I consider it a good investment if the State by appropriating $300,000 can save $25,000 per year in rents, as has been claimed by the advocates of this bill, being the amounts now paid as rent for State offices in San Francisco

MOTIONS.

Mr. Dibble moved to reconsider the resolution whereby the Assembly refused to pass any bills after twelve o'clock to-night.

Lost.

At eleven o'clock and ten minutes P. M., Speaker Coombs resumed the chair.

Mr. Belshaw moved that the Assembly do now take up Senate Bill No. 314.

So ordered.

Senate Bill No. 314—An Act to amend Section 480 of the Civil Code, relating to reports to be made to the Board of Railroad Commissioners by railroad and other transportation companies, and fixing a penalty for failure to comply therewith.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Dibble, Belshaw, and Ryan.

The question being, "Shall the bill be now read the third time?"

So ordered.

Read third time.

Mr. Cross moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend printed bill by adding at the end of Section 1 a new section, as follows:

SEC. 2. The provisions of this section shall not apply to stage lines, or to street-car or electric lines operated within the corporate limits of any city or town.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Bridgford, Belshaw, and Boone.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the motion to refer Senate Bill No. 314 to a select committee, with instructions to amend.

The roll was called, and pending the announcement of the result, Mr. Belshaw moved a call of the House.

Lost.

The result of the roll call was announced, and the motion to appoint a select committee adopted by the following vote:

AYES—Messrs. Austin, Bettman, Burnham, Canavan, Cross, Cutter, Damon, Dibble, Ennis, Fontana, Guy, Harris, Jones, Kelsey, Leavitt, Lindenberger, Malcolm, North of Alameda, North of Yolo, Power of Placer, Robinson, Sims, Soward, Valentine, Vosburg, Waymire, and Wright—27.

NOES—Messrs. Anderson, Belshaw, Boone, Bridgford, Burnett, Caminetti, Clarke, Dolan, Elliott, Emmons, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Melick, McGrath, Power of San Francisco, Rubell, Ryan, Shanahan, Strain, Toland, Treacy, and Mr. Speaker—26.

Mr. Cross was appointed a committee of one to amend the bill.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 314—An Act to amend Section 480 of the Civil Code, relating to reports to be made to the Board of Railroad Commissioners by railroad and other transportation companies, and fixing a penalty for failure to comply therewith—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.

CROSS, Committee

The question being on the adoption of the report of the select committee, upon which the ayes and noes were demanded by Messrs. Shanahan, Cross, and Leavitt.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Austin, Bettman, Burnham, Canavan, Cross, Cutter, Damon, Dibble, Ennis, Fontana, Guy, Harris, Hill, Jones, Kelsey, Leavitt, Lindenberger, Malcolm, North of Alameda, North of Yolo, Power of Placer, Robinson, Sims, Soward, Valentine, Vosburg, Waymire, and Wright—28.

NOES—Messrs. Belshaw, Boone, Bridgford, Burnett, Caminetti, Clarke, Dolan, Elliott, Godfrey, Houghton, Keegan, Lacy, Landsborough, Mahoney, Mead, Melick, McGrath, Power of San Francisco, Rubell, Ryan, Shanahan, Strain, Toland, Treacy, and Mr. Speaker—25.

Mr. Mead moved that Senate Bill No. 314 be immediately transmitted to the printer.

So ordered.

RESOLUTION.

By Mr. Leavitt:

Resolved, That no bills shall be passed or considered by this House after twelve M. of this date, except the General Appropriation and Tax Levy bills and Senate Bill No. 314.

Mr. Cutter moved to amend by striking from the resolution the words "Senate Bill No. 314."

SUBSTITUTE FOR RESOLUTION.

By Mr. Price:

WHEREAS, In order that the business of this House may be properly completed and the files cleared of all bills that cannot possibly pass at this session, and to give ample time for enrollment; be it

Resolved, That this House pass no bills after eleven o'clock A. M. of Saturday, March 20, 1897, except the General Appropriation Bill and the Tax Levy Bill, and that all other bills not then passed be stricken from the files of this House.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Mead, Shanahan, and Toland.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the substitute for Mr. Leavitt's resolution, offered by Mr. Price.

Lost.

The question being on the amendment offered by Mr. Cutter to Mr. Leavitt's resolution.

The roll was called, and the amendment offered by Mr. Cutter lost by the following vote:

AYES—Messrs. Bettman, Burnham, Cross, Cutter, Damon, Dibble, Ennis, Goodhue, Harris, Hill, Jones, Sims, Valentine, and Vosburg—14.

NOES—Messrs. Allen, Anderson, Belshaw, Boone, Bridgford, Caminetti, Canavan, Clarke, Dennery, Dolan, Elliott, Emmons, Godfrey, Guy, Hudson, Kelly, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, Power of Placer, Power of San Francisco, Price, Rubell, Ryan, Shanahan, Toland, Treacy, Wright, and Mr. Speaker—33.

The question being on the adoption of the resolution offered by Mr. Leavitt.

The same was adopted.

INTRODUCTION OF JOINT RESOLUTION.

Mr. Cutter offered the following:

ASSEMBLY JOINT RESOLUTION No. 33.

WHEREAS, The State of California has appropriated the sum of $250,000, to be expended in the construction of works for the restraining and impounding of mining and other debris, and the further sum of $300,000, to be expended in the improvement and rectification of the navigable waterways of this State; and

WHEREAS, The State of California has thus shown its willingness to assist in a work so imperatively demanded by the needs of commerce, and which cannot, with safety, be longer delayed, but which of right ought to be undertaken and carried forward to completion by the General Government, which alone has complete jurisdiction over the waterways sought to be improved; and

WHEREAS, The General Government has already appropriated the sum of $250,000 to be used in conjunction with the State appropriation of the same amount first above referred to, thus indicating a willingness to undertake the contemplated work; and

WHEREAS, All local and industrial differences that have heretofore existed between the mining and farming sections of this State have ceased to exist, and complete harmony now prevails among all classes and interests in relation to the matters herein referred to; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That our Senators in Congress be instructed and our Representatives requested to use all honorable means at their disposal to secure an early appropriation by Congress of the sum of $600,000, one half thereof to be expended in the construction of restraining barriers, and one half thereof to be used in dredging and otherwise improving the navigable waterways of California, to the end that the miner and the farmer may be alike protected in the prosecution of their respective industries, and the commerce of a great State restored to the rightful condition;

Resolved, That the Governor be and he is hereby requested to cause a certified copy of these resolutions to be mailed to each of our Senators and Representatives in Congress.

Adopted.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 516—An Act to amend Section 1885 of the Political Code of the State of California, relating to form of bonds, when payable.

Mr. Dibble moved to lay Senate Bill No. 516 on the table.

Motion withdrawn.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Austin, Belshaw, Boone, Bridgford, Burnham, Caminetti, Canavan, Cross, Cutter, Damon, Dennery, Elliott, Emmons, Fontana, Goff, Harris, Hill, Houghton, Hudson, Jones, Keables, Kelsey, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, North of Alameda, Power of Placer, Price, Robinson, Rubell, Ryan, Sims, Stansell, Strain, Valentine, Vosburg, and Wright—41.

NOES—Messrs. Dolan, Godfrey, and Lacy—3

Title read and approved.

Senate Bill No. 467—An Act to amend Section 1882 of the Political Code of the State of California, relating to the time bonds may be issued for.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson, Arnerich, Austin, Belshaw, Burnham, Canavan, Clarke, Cutter, Dibble, Elliott, Fontana, Godfrey, Harris, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker—43.

NOES—Messrs Goff and Kelsey—2.

Title read and approved.

Mr. Dibble moved that the Assembly now take up Senate Bill No. 64 out of order.

So ordered.

Committee Substitute for Senate Bill No. 64—An Act to establish a State hospital for special diseases, to provide for the management and maintenance of the same, 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. Arnerich, Austin, Belshaw, Bridgford, Caminetti, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Emmons, Ennis, Fontana, Godfrey, Goff, Harris, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Price, Robinson, Ryan, Sims, Stansell, Toland, Treacy, Waymire, Wright, and Mr. Speaker—49.

NOES—Messrs. Anderson and Valentine—2.

Title read and approved.

Senate Bill No. 719—An Act appropriating $81 10 to pay the claim of J. S. Bransford, for services rendered the State of California as Sheriff of Plumas County.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Austin, Belshaw, Bridgford, Burnett, Burnham, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Elliott, Emmons, Ennis, Fontana, Godfrey, Goff, Harris, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Robinson, Ryan, Soward, Stansell, Strain, Toland, Treacy, Valentine, Waymire, and Wright—50.

NOES—Messrs Anderson and Houghton—2.

Title read and approved.

Senate Bill No. 330—An Act to amend Sections 3659, 3665, 3681, 3728, 3732, 3734, 3746, 3758, 3763, 3801, 3805, 3817, 3820, 3821, 3825, 3843, 3845, 3858, and 3897 of the Political Code; to add to said Code five new sections, to be numbered Sections 3737, 3739, 3776, 3777, and 3818, and to repeal Sections 3428 and 4083 of said Code; all of said sections relating to public lands and revenue and taxation.

Read second time, and ordered to third reading.

Senate Bill No. 330—An Act to amend Sections 3659, 3665, 3681, 3728, 3732, 3734, 3746, 3758, 3763, 3801, 3805, 3817, 3820, 3821, 3825, 3843, 3845. 3858, and 3897 of the Political Code; to add to said Code five new sections, to be numbered Sections 3737, 3739, 3776, 3777, and 3818, and to repeal Sections 3428 and 4083 of said Code; all of said sections relating to public lands and revenue and taxation.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Arnerich, Austin, Belshaw, Bridgford, Burnham, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Elliott, Emmons, Ennis, Fontana, Godfrey, Goff, Harris, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of San Francisco, Price, Robinson, Sims, Soward, Strain, Waymire, Wright, and Mr. Speaker—45.

NOES—Mr. Houghton—1.

Title read and approved.

Senate Bill No. 265—An Act entitled an Act to amend Section 3009 of the Political Code, relating to the appointment of officers and employés by the San Francisco Board of Health.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson, Arnerich, Austin, Belshaw, Bridgford, Burnett, Burnham, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Elliott, Emmons, Ennis, Fontana, Godfrey, Goff, Harris, Houghton, Hudson, Jones, Keables, Keegan, Kelsey, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, Pohlmann, Power of San Francisco, Price, Sims, Soward, Stansell, Strain, Toland, and Wright—46.

NOES—None.

Title read and approved.

Senate Bill No. 382—An Act to empower the legislative body of an incorporated city or town within the State of California to levy taxes and expend the same in eradicating fruit-tree pests in cities and towns having within their corporate limits two thousand acres or more of fruit trees.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Arnerich, Bridgford. Burnham, Caminetti, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Elliott, Emmons, Ennis, Fontana, Godfrey, Goff, Harris, Houghton, Hudson, Keables, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, North of Alameda, Pohlmann, Price, Robinson, Ryan, Shanahan, Soward, Stansell, Strain, Toland, Valentine, Waymire, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

At eleven o'clock and fifty minutes P. M., the Speaker called Mr. Sims to the chair.

Committee Substitute for Senate Bill No. 362—An Act authorizing the Secretary of State to appoint a clerk, and making an appropriation for the payment of his salary for the remainder of the forty-eighth 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. Anderson, Arnerich, Austin, Bridgford, Burnham, Caminetti, Canavan, Cross, Damon, Dibble, Dolan, Elliott, Emmons, Ennis, Fontana, Godfrey, Goff, Harris, Hudson, Keables, Lacy, Landsborough, Leavitt, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, Power of Placer, Power of San Francisco, Price, Robinson, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Waymire, and Wright—44.

NOES—Mr. Keegan—1.

Title read and approved.

Senate Bill No. 530—An Act to amend Section 3493 of the Political Code of the State of California, relating to the dissolution of swamp land or 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. Anderson, Arnerich, Austin, Burnham, Caminetti, Canavan, Cross, Cutter, Damon, Dibble, Elliott, Fontana, Godfrey, Goff, Harris, Houghton, Hudson, Keables, Keegan, Kelly, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Mead, Melick, Mulcrevy, McGrath, North of Alameda, Pohlmann, Power of Placer, Price, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, and Wright—45.

NOES—None.

Title read and approved.

Senate Bill No. 531—An Act to amend Section 3472 of the Political Code of the State of California, relating to the formation of swamp land or 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 Anderson, Arnerich, Austin, Bridgford, Burnham, Caminetti, Canavan, Clarke, Cross, Cutter, Damon, Dibble, Dolan, Elliott, Fontana, Godfrey, Goff, Harris, Houghton, Hudson, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, Pohlmann, Power of Placer, Power of San Francisco, Price, Sims, Soward, Stansell, Strain, Toland, Treacy, and Mr. Speaker—45.

NOES—None.

Title read and approved.

MOTIONS.

Mr. Dibble moved to reconsider the vote by which the hour of twelve o'clock was set as the time limit for consideration of bills.

So ordered.

The question now being on the adoption of the resolution.

Resolution lost.

Mr. Keables moved that the Assembly take up Senate Bill No. 246 at this time.

So ordered.

Senate Bill No. 246—An Act to amend Section 200 of the Code of Civil Procedure by adding a new subdivision thereto, known as subdivision No. 11, relating to exempting exempt firemen from jury duty.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson, Arnerich, Bridgford, Burnett, Burnham, Canavan, Clarke, Cross, Cutter, Dennery, Dibble, Dolan, Elliott, Fontana, Godfrey, Goff, Harris, Henry, Hudson, Keables, Keegan, Kelly, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Ryan, Shanahan, Sims, Stansell, Strain, Toland, Valentine, Vosburg, Waymire, and Mr. Speaker—48.

NOES—None.

Title read and approved.

RESOLUTION.

By Mr. Melick:

Resolved, That the Committee on Commissions, Retrenchment, and Public Expenditures be and they are hereby authorized to hold meetings of said committee at any place in this State prior to the adjournment of this session of the Legislature, for the purpose of investigating charges of bribery in connection with the passage of Assembly Bill No. 410 through this Assembly

Adopted.

Mr. Mead moved that the Assembly now take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 19, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 19th day of March passed Assembly Bill No. 208—An Act making an appropriation to pay the deficiency in the appropriation for support of Southern California Hospital for the Insane and Inebriates, for the forty-seventh fiscal year

Also: Assembly Bill No. 216—An Act making an appropriation to pay the deficiency in the appropriation for postage and contingent expenses of the Clerk of the Supreme Court, for the forty-sixth fiscal year.

Also: Assembly Bill No. 221—An Act making an appropriation to pay the deficiency in the appropriation for the arrest and conviction of highway robbers, to pay the claim of George A. Parker, for arrest and conviction of Ed. Ward.

Also: Assembly Bill No. 222—An Act making an appropriation to pay the deficiency in the appropriation for the arrest and conviction of highway robbers, to pay the claim of George A. Parker.

Also: Assembly Bill No. 239—An Act making appropriation to pay expenses incurred by the Commission for the Revision and Reform of the Law.

Also: Assembly Bill No 211—An Act making an appropriation to pay the deficiency in the appropriation for pay of salaries of agents or assistants, for traveling expenses, and for other contingent expenses of the Bureau of Labor Statistics, as authorized by Statutes of 1889, page 7

Also: Assembly Bill No 219—An Act making an appropriation to pay the deficiency in the appropriation for the forestry stations, for the forty-sixth fiscal year.

Also: Assembly Bill No. 214—An Act making an appropriation to pay the deficiency incurred by calling the National Guard of California into service, by order of the Governor, in 1894.

Also: Assembly Bill No. 236—An Act making an appropriation to pay the deficiency in the appropriation for traveling expenses of the Board of Railroad Commissioners.

Also: Assembly Bill No 220—An Act making an appropriation to pay the deficiency in the appropriation for care of State burial grounds, for services rendered by W. C. Farnsworth.

Also: Assembly Bill No. 210—An Act making an appropriation to pay the deficiency in the appropriation for transportation of prisoners, for payment of the claim of W. C. Conroy in conveying children to Whittier.

Also: Assembly Bill No. 218—An Act making an appropriation to pay the deficiency

in the appropriation for pay of stenographer for the State Board of Railroad Commissioners, for services rendered by Frank H Lombard.

Also: Assembly Bill No. 108—An Act making an appropriation to pay for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-eighth fiscal year.

Also: Assembly Bill No 478—An Act making an appropriation to pay the deficiency in the appropriation for the payment of expenses incurred in calling the National Guard of California into service, by order of the Governor, during the year 1894

Also: Assembly Bill No 288—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building and furniture, etc.

Also: Assembly Bill No 533—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-eighth fiscal year.

Also: Assembly Bill No. 534—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-seventh fiscal year.

Also: Assembly Bill No. 535—An Act making an appropriation to pay the deficiency in the appropriation for office rent of the Attorney-General, in San Francisco, for the forty-eighth fiscal year.

Also: Laid upon the table Assembly Bill No. 872—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses, in this State.

Also: On this day passed Assembly Bill No. 989—An Act making an appropriation to pay the printing expenses of the thirty-second session of the Legislature.

Also: Passed Assembly Bill No. 410—An Act to provide for the payment of claims against the State of California, arising under an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and making an appropriation therefor.

F. J BRANDON, Secretary.
By G. W. McINTYRE, Assistant

Assembly Bills Nos. 208, 216, 221, 222, 239, 211, 219, 214, 236, 220, 210, 218, 108, 478, 288, 533, 534, 535, 989, and 410 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 19, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 19th day of March, 1897, adopted Senate Concurrent Resolution No. 13, relative to pay of George Berger.

Also: On this day return to the Assembly Senate Bill No 451—An Act to require ordinances and resolutions passed by the City Council or other legislative body of any municipality, to be presented to the Mayor or other chief executive officer of such municipality for his approval—as per your request of this date.

F. J. BRANDON, Secretary.
By G W. McINTYRE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 19, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 271—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Also: Assembly Bill No. 207—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in furnishing maps to State Mining Bureau.

Also: Assembly Bill No. 312—An Act to provide for the relief of Charles E Wells, and to appropriate money therefor.

Also: Assembly Bill No 979—An Act to appropriate money for the payment of interest on the sum of $79,750, being part of the endowment fund of the University of California, heretofore withheld and used for other State purposes, until the State elects to pay said principal sum of $79,750.

Also: Assembly Bill No 318—An Act making an appropriation to pay claim for traveling expenses of John F. Kidder, from August 15, 1893, to December 21, 1895

Also: Assembly Bill No. 5—An Act for the relief 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: Assembly Bill No 932—An Act making an appropriation to pay the claim of Charles W Metcalf against the State of California.

Also: Assembly Bill No 250—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant-Governor Millard.

Also: Assembly Bill No 248—An Act making an appropriation to pay the claim of the Herald Publishing Company, for advertising the constitutional amendments.

Also: Assembly Bill No. 245—An Act making an appropriation to pay the claim of James H. Barry publisher of the Star, for advertising the constitutional amendments.

Also: Assembly Bill No 209—An Act making an appropriation to pay the claim of R. S Broughton for transportation of prisoners

Also: Assembly Bill No 262—An Act making an appropriation to pay the claim of George E. Lawrence, for services rendered the State of California at the funeral of the late Lieutenant-Governor Millard.

Also: Assembly Bill No. 437—An Act making an appropriation to pay the claim of F. M. Millikan, for publishing delinquent purchasers of State school lands.

Also: Assembly Bill No. 156—An Act making an appropriation to pay the claim of Ernest Weyand, District Attorney of Colusa County, for moneys expended in behalf of the State of California, for foreclosing State school lands in Colusa County, State of California.

Also: Assembly Bill No 646—An Act making an appropriation to pay the claim of James V. Hicks against the State of California.

Also: Assembly Bill No. 228—An Act making an appropriation to pay the claim of Earl H Daggett, for the arrest of Daniel McCall for attempted highway robbery.

Also: Assembly Bill No 230—An Act making an appropriation for the payment of the claim of A. J. Bogard, administrator of the estate of J. J. Bogard, deceased, for the arrest of Samuel McGuire for attempted highway robbery.

Also: Assembly Bill No. 235—An Act making an appropriation to pay the claim of Cassasa's First Regiment Band, for music furnished for the funerals of the late Generals Dimond and McComb

Also: Assembly Bill No. 237—An Act making an appropriation to pay the claim of W J Deater, for publishing notice and summons in foreclosing interest of delinquent purchasers of State school lands

Also: Assembly Bill No 238—An Act making an appropriation to pay the claim of Geo. A. Sturtevant, for costs of suits in foreclosing delinquent purchasers of State school lands.

Also: Assembly Bill No. 223—An Act making an appropriation to pay the claim of Edwin F. Ingles, for the arrest of F. J. Morgan for attempted highway robbery.

Also: Assembly Bill No. 226—An Act making an appropriation to pay the claim of William Macdonald, for expenses incurred in the funeral of Governor Jones, of Nevada

Also: Assembly Bill No. 241—An Act making an appropriation to pay the expenses incurred for the funeral of the late State Librarian, W. D Perkins.

Also: Assembly Bill No. 948—An Act for the relief of John Mullan, and to appropriate money therefor.

Also: Assembly Bill No. 161—An Act to pay the claim of W. H. Donnelly against the State of California, and making an appropriation therefor.

Also: On this day adopted Assembly Concurrent Resolution No. 6—Relative to appointing a joint committee to examine into and report upon charges made by Governor against State Printer.

Also: Passed Assembly Bill No 240—An Act making an appropriation to pay the deficiency in the appropriation "To provide for the erection and operation of rock-crushing plants at the State prisons," etc.

Also: Assembly Bill No. 242—An Act making an appropriation to pay the claim of R. L. Peeler, for expenses incurred in attending the funeral of the late General Dimond

Also: Assembly Bill No. 717—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 735—An Act making an appropriation to pay the claim of Charles Nelson, arising upon the judgment recovered by said Nelson against the State of California, in the Superior Court of the City and County of San Francisco, on May 27, 1896.

Also: Assembly Bill No. 958—An Act to repay and reimburse John C Pelton for money expended and for services rendered in establishing the first free public school in the State of California.

Also: Assembly Bill No. 402—An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized.

Also: Assembly Bill No. 561—An Act to appropriate $1,000 to pay the claim of Francis Williams, for services rendered the State of California as an Irrigation Commissioner.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

Assembly Bills Nos. 271, 207, 312, 979, 318, 5, 932, 250, 248, 245, 209, 262, 437, 156, 646, 228, 230, 235, 237, 238, 223, 226, 241, 948, 161, 240, 242, 717, 735, 958, 402, and 561, and Assembly Concurrent Resolution No. 6, ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 19, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 19th day of March returns to the Assembly Senate Bill No 460—An Act to amend Sections 3465 and 3466 of the Political Code of the State of California, relating to the collection of assessments in reclamation districts of the State—as per your request of this date.

Also: Concurred in Assembly Amendments Nos. 1, 3, and 4, but refused to concur in Amendment No. 2, to Substitute for Senate Bill No. 419—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor—and respectfully request your honorable body to recede from said Amendment No 2.

Also: Passed Assembly Bill No. 631—An Act to repeal Section 3640 of the Political Code of California, relating to the duties of Assessors.

F. J. BRANDON, Secretary.
By G. W. McINTYRE, Assistant.

Mr. Cutter moved that the House refuse to recede from Amendment No. 2, and that a conference committee be appointed to consider the same.

So ordered.

The Speaker appointed Messrs. Cutter, Kelsey, and Burnett a conference committee on Senate Bill No. 419.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 19, 1897.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 843.

JAMES H. BUDD, Governor.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 164—An Act to amend Section 634 of the Political Code, in relation to insurance, approved April, 1878.

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. Dibble moved a call of the House.

Lost.

The Speaker then announced the result of the roll call, and the bill refused passage by the following vote:

AYES—Messrs. Arnerich, Austin, Canavan, Cutter, Damon, Dibble, Dolan, Godfrey, Goff, Harris, Henry, Hudson, Keables, Keegan, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, Pohlmann, Power of Placer, Power of San Francisco, Ryan, Sims, Soward, Toland, Treacy, Valentine, Waymire, Wright, and Mr. Speaker—35.

NOES—Messrs. Clarke, Dennery, Elliott, Houghton, Kelly, North of Alameda, and North of Yolo—7.

MOTION.

Mr. Clarke moved that the Assembly now take a recess until ten o'clock to-morrow morning.

Lost.

SENATE CONCURRENT RESOLUTION No. 13.

WHEREAS, George Berger was employed as a Messenger between the Senate and Assembly during the thirty-second session; and

WHEREAS, On the 12th day of February, 1897, he met with an accident in the Capitol building, in falling from the second floor to the first floor, endangering his life and entailing the expense of sickness; and

WHEREAS, The said accident occurred while in the discharge of his duties as such Messenger; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That the said George Berger be paid the sum of SIXTY dollars, being the amount which he would have been entitled to had such accident not happened, and half of said amount to be paid from the Contingent Fund of the Senate, and one half from the Contingent Fund of the Assembly. The Controller is hereby directed to draw his warrant for said amounts on said funds, in favor of said George Berger, and the Treasurer is directed to pay the same.

Adopted.

Senate Bill No. 694—An Act to amend Section 1276 of the Code of Civil Procedure of the State of California.

Read second time, and ordered to third reading.

Senate Bill No. 694—An Act to amend Section 1276 of the Code of Civil Procedure 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 refused passage by the following vote:

AYES—Messrs. Austin, Bridgford, Caminetti, Canavan, Cross, Cutter, Dibble, Ennis, Fontana, Goff, Harris, Landsborough, Leavitt, Lindenberger, Malcolm, Mulcrevy, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Ryan, Sims, Soward, Valentine, Waymire, and Wright—26.

NOES—Messrs. Arnerich, Clarke, Dennery, Dolan, Elliott, Godfrey, Henry, Keegan, Kelly, Kelsey, Lacy, McGrath, Power of San Francisco, Price, Shanahan, and Stansell—16.

RECESS.

At one o'clock A. M., Mr. Cutter moved that the Assembly now take a recess until nine o'clock and thirty minutes A. M.

So ordered.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 20, 1897.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

The roll was called, and the following members answered to their names:

Messrs Aldridge, Allen, Anderson, Arnerich, Austin, Belshaw, Bettman, Boone, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Emmons, Ennis, Fontana, Gately, Godfrey, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keables, Keegan, Kelly, Kelsey, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McClellan, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Rubell, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Waymire, Wright, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

READING OF JOURNAL.

The reading of the Journal of yesterday was ordered dispensed with.

APPROVAL OF JOURNAL.

The Journal of Thursday, March 18th, was approved as corrected.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR SPEAKER: Your Committee on Ways and Means beg leave to submit the following report for the week ending Saturday, March 20, 1897, and final report of the committee:

Bills received since last report:

March 11, Assembly Bill No. 984—For expenses of Investigation Committee of the State Printing Office	$5,000 00
March 11, Assembly Bill No. 924—Claim of D L. Blanchard	3,688 00
March 13, Senate Bill No. 719—Claim of J. S. Bransford	81 10
March 13, Senate Bill No. 157—Claim of A. L. Wood	300 00
March 13, Senate Bill No. 686—Claim of Theodore A. Bell	150 24
March 13, Senate Bill No 294—Improvement of San Diego Harbor	45,000 00
March 15, Senate Bill No. 563—Deficiency for Preston School of Industry, at Ione	4,500 00
March 15, Senate Bill No. 493—Claim of E. N. Strout	2,000 00
Total	$60,719 34

Bills reported back favorably:

March 11, Assembly Bill No. 984—Expenses of committee investigating the office of State Printer	$5,000 00
March 13, Senate Bill No. 719—Claim of J. S. Bransford	81 10
March 13, Senate Bill No. 157—Claim of A. L. Wood	300 00
March 13, Senate Bill No 686—Claim of Theodore A. Bell	150 24
March 15, Senate Bill No. 563—Deficiency for Preston School of Industry, at Ione	4,500 00
March 15, Senate Bill No. 493—Claim of E N. Strout	2,000 00
March 18, Senate Bill No. 291—Improvements to San Diego Harbor	45,000 00
Total	$57,031 34

Bills reported back unfavorably:

March 10, Assembly Bill No. 736—Repairs to Yosemite Valley	$8,000 00
March 13, Senate Bill No. 291—Reseating the hall in the State Normal School at San José	13,000 00
March 18, Assembly Bill No 81—For care of aged and indigent persons	.....
March 18, Assembly Bill No. 574—To prevent adulteration of foods, drugs, etc.	15,000 00
March 18, Assembly Bill No. 578—Authorizing counties to make certain maps	.....
March 18, Assembly Bill No 651—For legislative printing	30,000 00
March 18, Assembly Bill No. 486—Establishing a Board of Warehouse Commissioners	.....
March 18, Assembly Bill No. 924—Claim of D. L. Blanchard	3,688 00
Total	$69,688 00

Bills withdrawn by authors:

March 18, Assembly Bill No. 403—Construction of reservoir at Marshall Monument	$1,500 00
March 18, Assembly Bill No 383—Furnishing a gymnasium building for the State Normal School at San José	10,000 00
Total	$11,500 00

Bills referred back without recommendation:

March 9, Senate Bill No. 399—Construction of reservoir at Marshall Monument	$1,500 00
March 18, Assembly Bill No. 568—Construction and maintenance of a fireboat for the protection of shipping	75,000 00
March 18, Assembly Bill No. 147—For the erection of a State building at San Francisco	300,000 00
March 18, Assembly Bill No. 450—The claim of Ira H. Locey and Henry Locey	352 50
Total	$376,852 50

Recapitulation.

Total appropriations referred to committee to date	$4,120,783 45
Total appropriations reported back favorably	1,579,886 34
Total appropriations reported back unfavorably	595,518 40
Referred to other committees	118,073 40
Reported back without recommendation	779,119 97
Amount of bills withdrawn	755,916 97
Amount reduced by committee amendments	98,405 49

Respectfully submitted.

GUY, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 63—An Act to amend an Act approved March 26, 1893,

entitled "An Act to create and administer a public school-teachers' annuity and retirement fund in the several counties, and cities and counties in the State."

Also: Assembly Bill No. 361—An Act entitled an Act to amend the Political Code by adding a new section, requiring the State and subdivisions of the State to give preference to goods manufactured or produced in the State, when contracting for or purchasing goods or other property

Also: Assembly Bill No. 160—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 66—An Act to enable cities incorporated and operating under a charter framed under Section 8, Article XI, of the Constitution, to abandon and annul such charter, and organize under general laws.

Also: Assembly Bill No 510—An Act to improve Salt River, Humboldt County, from the junction thereof with Eel River to Port Kenyon, by removing therefrom bars and other obstructions to navigation, and to appropriate the sum of $10,000 for that purpose.

Also: Assembly Bill No. 860—An Act to provide for the dredging and improvement of Alviso Slough, and to appropriate money therefor.

Also: Assembly Bill No. 62—An Act making an appropriation to pay the claim of Thomas Hatch.

Also: Assembly Bill No. 243—An Act making an appropriation to pay the deficiency in the appropriation for payment of the expenses incurred in calling the National Guard of California into service, by order of the Governor, in 1894.

Also: Assembly Bill No. 892—An Act to amend an Act to provide a system of drainage for agricultural swamp and overflowed lands, approved March 3, 1881, by amending Section 9 thereof

Also: Assembly Bill No. 876—An Act to regulate the business of commission merchants, agents, factors, or brokers dealing in farm produce, grain, fruit, seeds, honey, or dairy produce.

Also: Assembly Bill No. 15—An Act to appropriate $1,535 25, to pay the claim of W. W. Foote and Garret W. McEnerney, for legal services rendered and expenses incurred by them in that certain action commenced in and decided by the Supreme Court of the State of California, and which was therein entitled "The People of the State of California, on relation of John C. Lynch, petitioner, vs James H Budd, respondent," and numbered S. F. No. 600.

Also: Assembly Bill No. 303—An Act to authorize the Board of Fish Commissioners to purchase or construct a gasoline launch, to aid in carrying out the purposes of said board, and appropriating money therefor.

Also: Assembly Bill No. 521—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture as instructress and silk expert.

Also: Assembly Bill No. 229—An Act making an appropriation to pay the claim of Sarah H. Wing, for the killing of her husband, O. H. Wing.

Also: Assembly Bill No. 529—An Act to amend an Act entitled "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," approved March 26, 1895.

Also: Assembly Bill No. 144—An Act to secure the payment of the claims of materialmen, mechanics, or laborers employed by contractors upon State, municipal, or other public work.

Also: Assembly Bill No. 194—An Act to amend Section 1187 of the Code of Civil Procedure, concerning the filing of mechanics' lien, by adding a provision requiring the owner of real property to give notice of completion of improvements thereon.

Also: Assembly Bill No. 875—An Act to create a commission for the purpose of examining, testing, and investigating voting machines, and reporting to the Legislature, at its thirty-third session, the result of such investigation, and making an appropriation for the expenses of such commission.

Also: Assembly Bill No. 984—An Act making an appropriation to pay for the expenses incurred by Assembly Concurrent Resolution No. 6, appointing a joint committee of the Senate and Assembly to investigate the affairs of the State Printing Office.

Also: Assembly Concurrent Resolution No. 14—Relative to the consideration of bills by the different houses of the Legislature.

And presented the same to the Governor on this day, at two o'clock and twenty-five minutes P. M.

FONTANA, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 77—An Act to amend Sections 190 and 218 of the Penal Code of the State of California, relating to the punishment for murder and train-wrecking, respectively.

Also: Assembly Bill No. 947—An Act to amend Section 11 and Section 657 of an Act of the Legislature of the State of California, entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the authority of courts-martial and other tribunals to punish for contempts, and relating to punishment for contempts.

Also: Assembly Bill No. 757—An Act to amend an Act entitled "An Act to establish

a Penal Code," approved February 14, 1872, by amending Section 647 thereof, concerning vagrants.

Also: Assembly Bill No. 548—An Act to add a new section to the Penal Code, relative to the prohibition and prevention of the use of all acids or solution of acids in the manufacture of hermetically sealed tin cans used for canning purposes, to be known as Section 246.

Have had the same under consideration, and respectfully report the same back without recommendation.

H. T. POWER, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1897.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 84—An Act to appropriate money for the support of aged persons in indigent circumstances

Also: Assembly Bill No. 486—An Act entitled an Act to establish a Board of Warehouse Commissioners, and prescribe their powers and duties, and to regulate warehouses in the State of California, and to provide for the appointment, and prescribe the powers and duties of warehouse inspectors and weighers

Also: Assembly Bill No. 515—An Act to authorize the State Board of Prison Directors to perform such duties and erect such structures as may be necessary to accommodate all prisoners committed to serve sentences in the State prisons, to abolish the State Prison at San Quentin, to transfer all convicts confined therein to the Folsom State Prison, and making an appropriation therefor.

Also: Assembly Bill No. 574—An Act to amend an Act entitled "An Act to provide for analyzing the minerals, mineral waters, and other liquids, and the medicinal plants of the State of California, and of foods and drugs, to prevent the adulteration of the same," approved March 9, 1885, relating to the State Analyst, his powers and duties.

Also: Assembly Bill No. 578—An Act to provide for the making of a certain map of the several counties of the State of California.

Also: Assembly Bill No. 651—An Act making an appropriation for legislative printing for the thirty-second session of the Legislature.

Also: Assembly Bill No. 924—An Act making an appropriation for the payment of the claim of D. L Blanchard, for supplying provisions to a company of United States cavalry, known as Capt. Ramon Pico's company, with provisions for March, April, and May, 1863, during the war of the rebellion, for $1,587, and simple interest thereon, at the rate of four per cent per annum, making the sum of $3,688.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also: Senate Bill No. 294—An Act for the improvement of the harbor of San Diego, 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. 147—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. 323—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, for the grading and paving of Dwight Way, in front of the lands of the Institute for the Deaf, Dumb, and Blind of Berkeley, California, which work was performed and materials furnished under a contract with Guy H. Chick, Superintendent of Streets of the Town of Berkeley, California, his authority having been acquired under the general street law of this State.

Also: Assembly Bill No. 450—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. 568—An Act to provide for the construction and maintenance of a fireboat for the protection of shipping, and appropriating money therefor.

Also: Assembly Bill No. 652—An Act to encourage fiber culture, and to make an appropriation therefor

Also: Assembly Bill No. 531—An Act to establish a State Normal School in San Luis Obispo County, California, and making an appropriation of $100,000 therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw the same.

GUY, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1897.

MR SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bills Nos. 129, 267, 330, 637, 675, 733, 807, 830, 848, 878, 960, 985, and 936, have had the same under consideration, and respectfully report the same back without recommendation.

CUTTER, Chairman.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1897.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No 328—An Act entitled an Act to amend Section 633, approved March 27, 1895,

amending Section 633 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game.

Also: Assembly Bill No. 79—An Act entitled an Act to repeal Section 626*i*, and to amend Sections 627*d*, 628, 632*a*, 634, and 636 of the Penal Code of the State of California, relating to fish and game.

Have had the same under consideration, and respectfully report the same back without recommendation.

STRAIN, Chairman.

ON PUBLIC WORKS, STATE CAPITOL, AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Assembly Bill No. 492—An Act to provide for the relief of aged and indigent persons in counties of the first class, and making an appropriation therefor.

Also: Assembly Bill No. 925—An Act to amend an Act entitled an Act providing for the erection of rock-crushing plants at the State prisons for the preparation of highway material for the benefit of the people of the State and for other purposes.

Have had the same under consideration, and respectfully report the same back without recommendation.

ENNIS, Chairman.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1897.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bills Nos. 544, 579, and 884, have had the same under consideration, and respectfully report the same back without recommendation.

CROSS, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1897.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bills Nos. 363, 201, 760, 46, 282, 47, 549, 82, 137, 279, 81, 33, 192, and 259, and Senate Bills Nos. 70, 62, 27, and 24, have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

DENNERY, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 20, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 19th day of March, 1897, refused to pass Assembly Bill No. 561—An Act to appropriate $7,082 to pay the claim of Francis Williams, for services rendered the State of California as an Irrigation Commissioner—by error reported as "passed."

Also: On this day amended, and passed as amended, Assembly Bill No. 990—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

CONSIDERATION OF SENATE AMENDMENTS.

Assembly Bill No. 990—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes.

The following Senate amendments were submitted:

Amend by striking out of Section 1, lines 11 and 12, the words "two million three hundred and forty-three thousand six hundred and two," and inserting the following: "three million and ninety-three thousand and six hundred"

Also: Amend by striking out of Section 1, lines 18 and 19, the words "two million four hundred and three thousand six hundred and two dollars," and inserting the following: "two million five hundred and ninety-three thousand and six hundred dollars."

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Mead, Clarke, and Price.

The question being, "Shall the main question be now put?"

The same was ordered.

The question being, "Shall the Assembly concur in the Senate amendments?"

Refused to concur.

SPECIAL ORDERS.

Senate Constitutional Amendment No. 39—Relative to the judicial department.

The question being on the adoption of Senate Constitutional Amendment No. 39.

The roll was called.

Pending the announcement of the result, Mr. Bridgford moved a call of the House.

Motion lost.

The Speaker then announced the result of the roll call, and Senate Constitutional Amendment No. 39 refused adoption by the following vote:

AYES—Messrs. Arnerich, Austin, Belshaw, Breiling, Bridgford, Caminetti, Clarke, Dibble, Dolan, Elliott, Emmons, Gately, Godfrey, Goff, Houghton, Hudson, Keables, Lacy, Landsborough, Lindenberger, Mahoney, Mead, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Shanahan, Sims, Strain, Toland, Treacy, Valentine, and Mr. Speaker—33.

NOES—Messrs. Burnham, Canavan, Chynoweth, Cross, Cutter, Damon, Dennery, Ennis, Fontana, Harris, Henry, Hill, Jones, Leavitt, Price, Soward, and Stansell—15.

ASSEMBLY CONCURRENT RESOLUTION No. 15.

Resolved by the Assembly, the Senate concurring, That the time of adjournment *sine die* of the two houses be and hereby is changed from twelve o'clock noon of this day to nine o'clock P. M thereof.

Lost.

MOTION.

Mr. Belshaw moved that the Assembly do now take up Senate Bill No. 314.

So ordered.

Senate Bill No. 314—An Act to amend Section 480 of the Civil Code, relating to reports to be made to the Board of Railroad Commissioners by railroad and other transportation companies, and fixing a penalty for failure to comply therewith.

The question being on the final passage.

The roll was called.

Pending the announcement of the result, Mr. Belshaw moved a call of the House.

The ayes and noes were demanded by Messrs. Houghton, Belshaw, and Elliott.

The roll was called, and the motion for a call of the House lost by the following vote:

AYES—Messrs. Bettman, Bridgford, Caminetti, Chynoweth, Clarke, Elliott, Emmons, Houghton, Keegan, Lacy, Lindenberger, Mahoney, Mead, McGrath, Ryan, Shanahan, and Mr. Speaker—17.

NOES—Messrs. Arnerich, Austin, Belshaw, Breiling, Burnham, Cross, Cutter, Damon, Dibble, Gately, Godfrey, Goff, Guy, Hill, Hudson, Jones, Keables, Leavitt, Malcolm, Power of Placer, Robinson, Soward, Stansell, Strain, and Valentine—25.

The Speaker then announced the result of the roll call, and Senate Bill No. 314 refused passage by the following vote:

AYES—Messrs. Austin, Belshaw, Breiling, Bridgford, Burnett, Caminetti, Canavan, Chynoweth, Clarke, Dolan, Elliott, Emmons, Gately, Houghton, Hudson, Keegan, Lacy, Lindenberger, Mahoney, Mead, Melick, McGrath, Power of San Francisco, Ryan, Shanahan, Soward, Strain, Toland, Treacy, Vosburg, Wright, and Mr. Speaker—32.

NOES—Messrs. Arnerich, Bettman, Burnham, Cross, Cutter, Damon, Dibble, Ennis, Godfrey, Goff, Guy, Harris, Hill, Jones, Leavitt, Power of Placer, and Valentine—17.

REPORT OF COMMITTEE ON COMMISSIONS, RETRENCHMENT, AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1897.

MR. SPEAKER: Your Committee on Commissions, Retrenchment, and Public Expenditures, to whom was referred, by you, on March 15, 1897, an investigation of the rumors of bribery published in the daily papers in connection with the passage of Assembly Bill No. 410, beg leave to make this report on the subject as investigated up to date.

In addition to the standing powers of this committee, this additional resolution, offered March 16, 1897, by J. W. Power, was adopted by the Assembly:

"WHEREAS, A committee was appointed for the purpose of investigating into charges made against J. W. Power in the 'Examiner' of March 13th; therefore, be it

"*Resolved*, That said committee be given full power to administer oaths, to subpœna witnesses, and such other powers as may be necessary for a full and complete investigation."

Pursuant to these instructions, your committee began its investigation on March 16th, and has pushed it with what vigor time would permit in these closing days of the session. We subpœnaed the Assemblymen who changed their votes during the call of the House on March 11, 1897, during the passage of Assembly Bill No. 410, commonly known as the coyote claims bill, and they gave their reasons for their change of votes. From this testimony we gleaned no substantial evidence of bribery.

W. A. Ryan, reporter of the "San Francisco Chronicle," and Ed Moran, of "The Examiner," were called, but testified to nothing conclusive in the matter. George McCalvey also testified, but gave no direct evidence incriminating anybody.

H. L. Packard was ordered subpœnaed, but up to date the Sergeant-at-Arms has not been able to get service on him, as he is reported to be out of the State.

On March 19th George Senf, manager of the Western Union Telegraph Company in Sacramento, was subpœnaed. He refused to answer certain questions. Taken before the bar of the House, he partially answered the questions, and was remanded to this committee. Before this committee he refused to answer other questions, and has not yet done so. In his testimony, Mr. Senf testified that all telegrams sent from Sacramento since March 5th had been shipped to Superintendent Jaynes by Wells-Fargo Express.

We then subpœnaed Felix Tracy, manager of the Wells-Fargo Express in Sacramento, who gave your committee the information that this box of telegrams had been expressed to F. Jaynes, Reno, Nevada, by the 11:40 train, March 19th.

Your committee immediately telegraphed C. W. Long, Constable at Truckee, to take this box from Wells-Fargo's messenger on arrival of train. On service of this subpœna said box of telegrams was returned to Sacramento in charge of Wells, Fargo & Co.'s Express. Your committee directed Constable Long to accompany the box on the train, which arrived in Sacramento at 6:20 A. M. to-day.

Your committee, pursuant to a resolution adopted by the Assembly last night, met at the Southern Pacific depot and took possession of said box of telegrams, your Chairman signing for said box on Wells, Fargo & Co.'s books at the depot.

Immediately on gaining possession of said box of telegrams, your committee proceeded to its regular committee-room, No. 72, of this Capitol, opened said box and looked over all telegrams contained therein.

From all the telegrams, your committee took out fourteen telegrams, which we believe have a very direct bearing on the investigation of bribery in connection with the passage of Assembly Bill No. 410. Except these fourteen telegrams, all others were replaced in the box carefully, and, by advice of the Attorney-General, were delivered to Superintendent Jaynes, of the Western Union Telegraph Company, in person.

The fourteen telegrams which your committee believe have a direct bearing on the charges of bribery, are herewith appended as a part of this report. Your committee is not able to do more in the short time allotted to it. From these telegrams we believe money was used in connection with passage of said bill, and we herewith submit the above facts for the consideration of the Assembly, for whatever action it desires to take.

MELICK, Chairman.
ANDERSON.
BURNETT.

MOTIONS.

Mr. Wright moved that all the telegrams in reference to Assembly Bill No. 410, accompanying the report of the committee, be now read.

Mr. Cross moved to amend by having only one, and that the one mentioned by the subpœna—the message signed "Bert."

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Belshaw, Wright, and North.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the amendment to the motion of Mr. Wright, offered by Mr. Cross.

Lost.

The question being on the motion of Mr. Wright to have all the telegrams read.

The ayes and noes were demanded by Messrs. North, of Alameda, Chynoweth, and Power.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Anderson, Austin, Belshaw, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Damon, Dennery, Dolan, Elliott, Ennis, Fontana, Gately, Godfrey, Goff, Guy, Henry, Hill, Houghton, Hudson, Keables, Kelly, Lacy, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—53.

NOES—Messrs. Bettman, Cross, Cutter, and Dibble—4.

EXPLANATION OF VOTES.

Mr. Power, of San Francisco, said:

There have been charges to a certain extent made against me in this matter, and I wish to say that, so far as I am concerned, if there are any telegrams in that report I would like to see them read, so that the Assembly may get at the bottom of this business. I desire that they should be made public. I have nothing to conceal in the matter, in spite of what may be falsely said by sensational newspapers. My attorney made a fight yesterday afternoon for three solid hours, by my request, to have those dispatches sent for, and I hope that every member of the Assembly will vote to have the telegrams read.

Mr. Bettman, of San Francisco, said:

I voted "No," because I do not approve of the manner in which those telegrams were obtained. I knew before I cast my vote that those dispatches would be read, and I have nothing to fear from an investigation. I voted for the bill two years ago and I voted for it now, but I do not approve of the highway robbery manner in which those dispatches were obtained.

Mr. Cross, of Los Angeles, said:

If my amendment had been carried I would have requested any telegram, which pointed to me or which insinuated anything against me, to be read.

TELEGRAMS.

The following telegrams were read and ordered printed in the Journal:

(No. 1.)

SACRAMENTO, March 6, 1897.

To H. A. Blodget, Bakersfield, Cal..

Bill after hard fight, over the Tuesday special order, which may not be reached that day Looks like adjournment on 20th. Members draw no pay. Hungriest mob ever gathered. Seven hundred in bank contingent; four fifty deposit contingent; five fifty give up. Time is short. Don't say H. L. P. is foxy, but is having hell to save stuff. If my judgment is taken, wire thousand; may not use all. Can't begin to tell what he has had to contend with; all by reason of what have written last two letters. Answer to seven hundred K.

BERT.

(No. 2.)

SACRAMENTO, March 9, 1897.

To H A. Blodget, Bakersfield:

County Government Bill all day; still going; might reach to-night

BERT.

10 sf N. 435, P. C.

(No 3.)

SACRAMENTO, March 9, 1897.

To H. A. Blodget, Bakersfield·

Bill out committee on third reading; might reach to-morrow. Hurrah

BERT.

(No. 4.)

SACRAMENTO, March 10, 1897.

To S. A. Blythe, Tulare

Coyote bill special order on third reading to-morrow morning; passage very doubtful. Wire at once to Bert Packard. It is the last chance.

FORREST L. ALFORD.

(No. 5.)

SACRAMENTO, March 11, 1897.

To H. A. Blodget, Bakersfield:

Bill beat to-day. Three thousand will save it on reconsideration. If you agree with me, wire money at once.

BERT.

25 S. St. W. 11 5 P.

(No. 6.)

SACRAMENTO, March 11, 1897.

To H. A. Blodget, Bakersfield·

When I first wired you, bill was beat 31 to 36 Won few votes for call of House. Three thousand was wanted to pass. Used my own judgment. Do or die. Tied myself up for fifteen hundred. Call was dispensed with, fifteen changed from no to aye. Bill passed 47 to 21. Notice reconsideration given to-morrow by Price. Two messages just received. Wired you at first opportunity.

BERT.

(No. 7.)

SACRAMENTO, March 12, 1897.

To Bank of British Columbia, San Francisco, Cal.,

We hold check Kern Valley Bank on you. Three thousand three dollars. Is it good. No letter received from you to-day regarding this matter.

NATIONAL BANK OF D. O. MILLS & CO.

(No. 8.)

SACRAMENTO, March 11, 1897.

To S A. Blythe, Tulare, Cal.·

Coyote bill passed Assembly forty-seven ayes. Notice of reconsideration given. Up again to-morrow.

FORREST L. ALFORD.

(No. 9.)

SACRAMENTO, March 12, 1897.

To H. A. Blodget, Bakersfield·

Bill passed Assembly on reconsideration. Goes to Senate.

BERT.

(No. 10.)

SACRAMENTO, March 13, 1897.

To James Power, 827 Bryant St., San Francisco:

The "Examiner" story is a lie. You know I would never disgrace my father.

JOHN W. POWER.

Assembly, Sacramento.

(No. 11.)

SACRAMENTO, March 13, 1897.

To Nolan Bros. Shoe Co., 812 Market St., San Francisco:

Tell the boys The Examiner story is false right through.

JOHN W. POWER, Sacramento.

(No. 12.)

SACRAMENTO, March 11, 1897.

To H. Flood, 812 Market St., San Francisco:

Will be down Monday. Tell boys I cannot come 'till then. My regards.

JOHN POWER.

(No. 13.)

SAN FRANCISCO, March 13, 1897.

Bert Packard, Care Egan & Hanlon, Cor. Seventh and K Streets, Sacramento, Cal.:

Accept congratulations as lobbyist. You can get anything wanted.

D R. TAGGART.

(No. 14.)

SACRAMENTO, March 13, 1897.

To H. A. Blodget, Bakersfield·

Big bluff. Tried same thing on me. You stand pat. Where did you get your information?

BERT.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 20, 1897.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 157.

JAMES H. BUDD, Governor

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 20, 1897.

To the honorable the Legislature of the State of California

GENTLEMEN. Every dollar of taxes imposed on the people of this State in excess of the amount provided by Assembly Bill No 990 will, in my judgment, be an unnecessary burden. Forty and one half cents on every one hundred dollars of the present assessed value of the property of this State will raise, with funds in the treasury, and available on July 1, 1897, more than sufficient to meet the demands of this government for the forty-ninth fiscal year, and sufficient to meet them for the fiftieth fiscal year. Even the amount raised by this bill would have been unnecessary, and a tax levy of less than thirty-two cents per one hundred dollars on said valuation would have sufficed had my recommendation as to income taxes been adopted.

The professed apprehension that my successor may have to meet a deficiency is ill founded, and in view of the fact that this administration inherited over $1,000,000 of deficiencies, debts, and obligations from past administrations, which it has or will be able to pay, and yet reduced the tax on the people far below its party pledge, ought to convince your honorable bodies that it will so handle the finances as to leave them in sound condition at the expiration of its term. The only ground for apprehension must lie in the fact that your honorable bodies have departed from a long established law as to deficiencies, and endeavored to make it more easy to create them by providing that a majority of the Board of Examiners may create a deficiency where a full board was required heretofore, thus making it possible, if the provision in the General Appropriation Act be held valid, to create such deficiencies in defiance of the Governor, who alone is responsible under the Constitution for the execution of the laws and the general management of State institutions While this might be good *politics*, it is certainly bad *financiering*, and although I have no apprehension that under present conditions any harm will follow, financial disaster may in the future, under other boards and other circumstances, if the law be held valid

You are on the eve of adjournment, and leave in my hands the general and other appropriation bills Any item or bill may be absolutely defeated now by my veto, and I assume the responsibility of so reducing the amount, as with the funds available on July 1, 1897, and the amount to be raised by Assembly Bill No 990, to be sufficient for the needs of this government for the next two fiscal years, excepting extraordinary, unforeseen demands; and should the majority of the Board of Examiners deem it necessary to create deficiencies in excess of this amount to be paid in the future, I assure you it will be more satisfactory to the taxpayers, than to have the burdens imposed during these hard times, and money needlessly locked up in the treasury, as it is now.

I invited the Chairman of the Ways and Means Committee, with the Controller, to meet in consultation as to these figures, and as a result of that conference I showed from the Controller's own figures that a levy of forty and one half cents per one hundred dollars of valuation would be amply sufficient.

I invited the Chairman of the Finance Committee of the Senate to meet me with the Finance Committee, and insisted on his bringing the Controller with him, stating that I could show from the Controller's own figures, in the Controller's presence, that the bill in the House was sufficient. The Chairman and members of his committee did appear, but he stated that the Controller had another engagement and could not appear.

I have the figures from the Controller, and I insist that with the money which will remain unexpended on July 1, 1897, the amount provided for in the Assembly bill is sufficient to run this government, unless the same be wasted.

I regret that under the rules of your bodies, adopted early in the session, these appropriation bills have been held back to the last minute, otherwise by my veto I would have been able to have given the exact figures from the appropriations allowed, and would have been able by a veto message to your honorable bodies to have shown such figures, and also to have shown that even less than the amount appropriated would be necessary.

If the bill for the amount desired to be raised by the Chairman of the Finance Committee of the Senate be sent to me, I will be unable to approve it, and I desire in advance to inform your honorable bodies of this fact in order that any responsibility for your not transmitting to me a bill for no more than the amount necessary to run the government for the next two years, may not rest upon me. Under present financial conditions, it is inadvisable to raise any more than is absolutely necessary. Idle money should never be accumulated in the public treasury, as it is a well-known fact that it is a constant temptation to extravagance.

I decline to assume the responsibilty for any complications or expense which may result from your sending me an excessive tax levy.

JAMES H. BUDD, Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 20, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the President of the Senate on this day appointed the following as a committee on conference on Substitute for Senate Bill No. 419—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor—to act with a like committee from the Assembly: Senators Bulla, Mahoney, and Chapman.

Also: I am directed to inform your honorable body that the Senate on the 20th day of March, 1897, refused to recede from Senate amendments to Assembly Bill No. 990—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes—and have appointed a conference committee, consisting of Senators Withington, Gillette, and Langford, to act with a like committee appointed by your honorable body.

F. J. BRANDON, Secretary.
By G. W McINTYRE, Assistant.

MOTION.

Mr. Dennery moved that the Speaker appoint a committee on conference, as per request of Senate, to consider amendments to Assembly Bill No. 990.

So ordered,

The Speaker appointed Messrs. Guy, Leavitt, and Houghton as such committee.

RESOLUTIONS.

By Mr. Emmons:

Resolved, That in the matter of the contested election of Hedemark vs. Dolan, the Controller be and he is hereby authorized to draw his warrants, and the Treasurer is directed to pay the same, in favor of the parties hereinafter named, and whose claims are approved for the several amounts set opposite their names respectively, as per attached bill, the same being expenses incurred on behalf of the contestant in the above-entitled matter, Charles L. Hedemark, to wit:

Mr. E L. Forster and Paul McDonald, attorneys for Charles L. Hedemark, contestant:

Cost of filing contest and service	$8 60
Justices' fees, 642 folios, at 12½c	80 25
Thirty-one witnesses, five days each, and mileage	325 50
Serving 31 subpœnas, and mileage, at 25c	7 75
Mailing papers to Secretary of State	1 15
Attorney fee, E. L Forster and Paul McDonald	100 00
Total	$523 25

Ernest J Mott, stenographer:

Five days, at $10 (one half)	$25 00
Six hundred and forty-two folios testimony, at 20c (one half)	94 20
Total	$119 20

Referred to Committee on Contested Elections.

By Mr. Leavitt:

Resolved, That the Superintendent of State Printing be and is hereby directed to have prepared and printed, immediately after the adjournment of the thirty-second 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, thirtieth, and thirty-first sessions," and to be printed on paper similar in size and quality 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.

By Mr. Clarke:

Resolved, That the Assembly of the State of California does hereby indorse the action of the Committee on Commissions, Retrenchment, and Public Expenditures in securing the telegrams bearing upon the passage of Assembly Bill No. 410.

Adopted

By Mr. Hill:

WHEREAS, The Committee on Commissions, Retrenchment, and Public Expenditures, in their investigation of the charges of bribery in connection with Assembly Bill No. 410, have been confronted with legal technicalities, and have been threatened with arrest and prosecution; therefore, be it

Resolved, That the Attorney-General of the State of California be and he is hereby directed and authorized to act as the adviser of said committee or any member thereof, and to represent said committee or any member thereof, in any suit that may be brought against them in their official capacity.

Adopted.

QUESTION OF PRIVILEGE.

Mr. Dibble spoke to a question of privilege, and read the following telegrams, which were ordered printed in the Journal:

SAN FRANCISCO, CALIFORNIA, March 20, 1897.

Hon. H. C. Dibble, Assembly:

The Seawell bill was to defeat an honest debt. This, Seawell will not and cannot deny. I never spoke to you nor any member about it All my correspondence has been read in the House. Your action was as every honest man's should be, who understood the subject.

BARCLAY HENLEY.

SAN FRANCISCO, March 20, 1897

Henry C. Dibble, Assembly, Sacramento:

Saw attack by Seawell in paper. Statements false and malicious. I was regularly employed as attorney for McCarthy; appeared and conducted case in court; was in Sacramento four days; told by members committee unnecessary to appear before them; interviewed number Senators. If Seawell doubts I am alive, can cure him of delusion. Can show you had nothing whatever to do with case. Greater part money I collected paid to contestant. My fee was very small.

HENRY DIBBLE, JR.

RESOLUTION.

By Mr. Melick:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the following persons on the Contingent Fund of the Assembly for the amount set opposite their names, which is for services performed in connection with the investigation of Assembly Bill No. 410, known as the "Coyote Scalp Bill":

To Frank Lombard, to transcript of testimony, 318 pages, 864 folios, at 20 cents per folio and 10 cents for four copies	$518 40
W. O. Banks, Sergeant-at-Arms, 34 witnesses, mileage, and expenses	60 00
J. C. Wray, Clerk	35 00
Telegrams	3 50
C. W. Long, Constable fees	50 00
Total	$666 90

Adopted.

TESTIMONIAL TO THE HONORABLE HARRY I. MULCREVY.

By the San Francisco Delegation:

WHEREAS, Hon. Harry I. Mulcrevy was elected and has presided as Chairman of the San Francisco Delegation of the thirty-second session of the Assembly of the California Legislature; and during his incumbency his conduct as such chairman was that of a fearless, honorable, and courteous gentleman; and realizing that the harmony and unanimity of purpose that during this session has characterized the San Francisco Delegation are in a great measure due to him, therefore, be it

Resolved, That the heartfelt thanks and appreciation of the San Francisco Delegation and their constituents are hereby expressed to our chairman, the Hon. Harry I. Mulcrevy; and be it further

Resolved, That a copy hereof be spread upon the minutes of the Journal of the House, and an engrossed copy be presented to our chairman, the Hon Harry I. Mulcrevy

(Signed:) Timothy E. Treacy, Gustave Pohlmann, Lawrence J. Dolan, John Allen, Eugene F. Lacy, Leon Dennery, Ed. S. Ryan, George B. Godfrey, Leon E. Jones, Frank E. Mahoney, Henry McGrath, Henry M. Kelly, John Power, S. M. Bettman, William H. Gately, Henry C. Dibble, Lorenzo A. Henry.

On motion of Mr. Dennery, ordered printed in the Journal, and that an engrossed copy be given to Mr. Mulcrevy.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1897.

MR SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No 217—An Act making an appropriation to pay the claims of the State Board of Health, for traveling expenses.

Also: Assembly Bill No 246—An Act making an appropriation to pay the claims of James McClatchy & Co, publishers of the "Bee," for advertising the constitutional amendments.

Also: Assembly Bill No. 206—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in lithographing maps, etc, for the Commissioner of Public Works.

Also: Assembly Bill No. 942—An Act to provide for the auditing and examination of the claims against the State of soldiers who served in the Indian wars in California, during the years from 1847 to 1857, to authorize the Adjutant-General to appoint a clerk for that purpose, and making an appropriation for his salary.

Also: Assembly Bill No 121—An Act to create and regulate in any city, or city and county, in this State, public warehouses, other than warehouses for the storage of grain or wool, and to enforce warehouse liens.

Also: Assembly Bill No. 384—An Act to amend Section 3 of an Act entitled "An Act to confer certain powers upon corporations organized for the purpose of discovering and preventing fires, and of saving property and human life from conflagration," approved April 1, 1876.

Also: Assembly Bill No 372—An Act to amend Sections 739, 769, and 2314 of the Political Code, relating to officers of the Supreme Court and their salaries.

Also: Assembly Bill No. 691—An Act to establish a State Lunacy Commission, to provide a uniform government and management of the State hospitals for the insane, and to provide for the care, custody, and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties.

And presented the same to the Governor on this day, at ten o'clock and thirty minutes A. M.

FONTANA, Chairman.

RESOLUTION.

By Mr. Mead:

WHEREAS, J. B. Stanton, Sergeant-at-Arms of the minority, was displaced from the payroll without the order of this House; therefore,

Resolved, That his name be reinstated as of the day it was dropped from the roll

Referred to the Committee on Attachés and Employés.

SPECIAL URGENCY FILE.

Senate Bill No. 453—An Act relative to the granting by municipalities of franchises for the construction of paths and roads for the use of bicycles and other horseless vehicles.

Read second time, and ordered to third reading.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bettman, Bridgford, Burnham, Caminetti, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Ennis, Fontana, Harris, Henry, Jones, Kelly, Lacy, Landsborough, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Ryan, Sims, Soward, Toland, Valentine, Vosburg, Wright, and Mr Speaker—43.

NOES—None.

Title read and approved.

Senate Bill No. 285—An Act to add a new section to the Civil Code of the State of California, to be known and numbered as Section 79½, relating to the procuring of licenses for marriage, the solemnization of marriages, and the recording of the declaration of marriage.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bettman, Bridgford, Burnham, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Ennis, Fontana, Harris, Henry, Hill, Hudson, Jones, Kelly, Lacy, Landsborough, Leavitt, Lindenberger, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Price, Robinson, Ryan, Shanahan, Sims, Soward, Strain, Valentine, Vosburg, Wright, and Mr. Speaker—41.

NOES—None.

Title read and approved.

RESOLUTION.

By Mr. Cutter:

Resolved, That the Mail Carrier, Postmistress, and her assistants, be and they are hereby instructed to remain at the State Capitol one week after the adjournment of the Legislature *sine die*, at their regular per diem, 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 the 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.

REPORTS OF STANDING COMMITTEES.

ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1897.

MR. SPEAKER: Your Committee on Contested Elections have had under consideration the claims of Charles L. Hedemark, referred to them by your honorable body on the 20th day of March, 1897, and beg leave to report that they have favorably considered the same, and to submit the following resolution:

Resolved, That in the matter of the contested election of Hedemark vs. Dolan, the Controller be and is hereby authorized to draw his warrants, and the Treasurer is directed to pay the same, in favor of the parties hereinafter named, and whose claims are approved for the several amounts set opposite their names respectively, as per attached bill, the same being expenses incurred on behalf of the contestant in the above-entitled matter, Charles L. Hedemark, to wit:

Attorney fee, E. L. Forster and Paul McDonald		$100 00
Ernest J Mott, stenographer:		
Five days, at $10 (one half)	$25 00	
Six hundred and forty-two folios, at 20 cents (one half)	94 20	
		119 20
Total		$219 20

Adopted.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1897.

MR SPEAKER: Your committee, the San Francisco Delegation, to whom was referred Assembly Bills Nos. 3, 9, 444, 945, and 976, have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also: Senate Bill No 17—An Act to amend 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—have had the same under consideration, and respectfully report the same back without recommendation.

MULCREVY, Chairman

RECESS.

At ten o'clock and twenty minutes A. M., the Speaker declared recess for one hour.

REASSEMBLED.

The Assembly reassembled at eleven o'clock and twenty minutes A. M. Speaker Coombs in the chair.

Quorum present.

COMMUNICATION.

Mr. Jones presented the following, and requested that it be published in the Journal.

So ordered.

HON. L. E. JONES:

DEAR SIR: At your request, I state that some week or ten days since I fully authorized you to withdraw Senate Bill No. 314, and since that time we have had no communication, verbal or written, upon the subject.

Yours, truly, S. N. ANDROUS.

Mr. Caminetti presented the following, and asked that it be published in the Journal.

So ordered.

SACRAMENTO, March 20, 1897.

A CAMINETTI, ESQ.:

DEAR SIR: In relation to Senate Bill No. 314, I wish to say that, when you asked me yesterday if I had authorized anybody the night before to withdraw the same in the Assembly, I answered that I had not. Our conversation was brief, and hence did not explain to you what had previously transpired.

S. N. ANDROUS.

REPORT OF COMMITTEE ON CONFERENCE.

SACRAMENTO, March 20, 1897.

MR. SPEAKER: Your committee on conference, appointed to meet with a like committee on the part of the Senate, with reference to the disagreement between the two houses as to amendments made by the House to Senate Bill No. 419, have had the same under consideration, and respectfully beg leave to report, recommending that the Senate recede from its refusal to concur in said amendments, and do concur therein.

CUTTER,
ENNIS,
BURNETT,
Assembly Committee.

MAHONEY,
CHAPMAN,
Senate Committee.

Report adopted.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 20, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted report of conference committee on Senate Bill No. 419, and request return of said bill for enrollment.

Also: I am directed to inform your honorable body that the Senate on this day adopted report of conference committee in relation to Assembly Bill No. 990, and appointed Senators Voorheis, Dickinson, and Dwyer a committee of free conference, and ask for a like committee on the part of the Assembly

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

REPORT OF COMMITTEE ON CONFERENCE.

SACRAMENTO, March 20, 1897.

MR. SPEAKER: Your committee on conference on Assembly Bill No 990 met with a like committee from the Senate, consisting of Senators Withington, Gillette, and Langford. We would respectfully report that we cannot agree, and recommend the appointment of a committee of free conference to meet with a like committee from the Senate.

GUY,
HOUGHTON,
LEAVITT,
Committee.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Price, Cutter, and Cross.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the adoption of the report of the conference committee on Assembly Bill No. 990.

The ayes and noes were demanded by Messrs. Cartwright, Toland, and North.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Arnerich, Austin, Belshaw, Bettman, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Fontana, Goff, Guy, Harris, Henry, Hill, Hudson, Jones, Keables, Kelly, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Wright, and Mr. Speaker—41

NOES—Messrs. Bridgford, Burnett, Caminetti, Dolan, Elliott, Gately, Godfrey, Keegan, Lacy, Landsborough, Mahoney, Mead, Mulcrevy, McGrath, Power of San Francisco, Ryan, Shanahan, Toland, and Treacy—18.

The Speaker appointed as such committee, Messrs. Valentine, Dibble, and Bridgford.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 20, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following: Assembly Constitutional Amendment No. 36—Proposition to amend Section 15 and Section 16 of Article V of the Constitution of the State of California.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1897.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has not been engrossed, viz: Assembly Bill No 764—An Act to provide for the construction of county highways in the several counties of the State, and empowering Boards of Supervisors to levy taxes therefor.

AUSTIN, Chairman.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 20, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 20th day of March, 1897, adopted the following: Assembly Joint Resolution No. 7—Relative to the opening of a ship channel between San Francisco Bay and Antioch.

Also: Adopted on this date Senate Concurrent Resolution No. 14—Relative to returning Senate Bill No. 136 to the Senate for correction.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1897.

MR. SPEAKER: Your Committee on Attachés and Employes, to whom was referred a large number of resolutions, calling 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 as a substitute therefor:

First—That W. O. Banks, Sergeant-at-Arms; W. N. Lamphrey, Assistant Sergeant-at-Arms; John Kofod, Porter; Jabez Hocking, Bookkeeper; and R. Corlett, Clerk; 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 devolved upon

the Sergeant-at-Arms, turning over to the Secretary of State the books, papers, and personal property in their charge, and closing up all accounts, and completing the duties of their office.

Second—That the Postmistress be and she is hereby authorized to remain at the capitol for three days after the adjournment of the Assembly, for the purpose of caring for the mail and sending the same to the members and others, and that she be allowed her regular per diem therefor.

Third—That the Journal Clerk, E. S. Gridley, be allowed seven days' pay, and the Assistant Journal Clerks, Marshall Black and J. M. Oliver, are each allowed four days' pay, after the adjournment of the Legislature, at their regular per diem, for the purpose of completing the writing, ruling, and comparing of the Journal of the Assembly.

Fourth—That the Chief Clerk be allowed twenty days' pay, less the amount allowed him by law, for the completing of the duties of his office required of him by law; that W. G. Hawkett, Clark Alberti, C. W. Kyle, Charles Orr, H. F. Peart, H. D. Pohlmann, Andrew M. Branch, and Grant Towle be and they are each allowed the sum of $25 for the completion of the work of their respective departments.

Fifth—That R. Q. Wickham, Minute Clerk, and his assistants, R. Nixon, Jr., and T W. Harris, be and they are each allowed four days' pay, at the per diem provided by law, for the completion of the work of their office

Sixth—That R. V. Robertson, History Clerk, be and he is hereby allowed the sum of $50 for the purpose of completing the final History of this Assembly of this session, and after the same is finally compiled and printed, shall mail to each member of the Senate and Assembly five copies thereof. 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; and that the sum of $50 in addition to the amount above, be allowed to R. V. Robertson for the purpose of paying the postage on the final History hereinabove provided for

Seventh—That W O. Banks, Sergeant-at-Arms of the Assembly, be allowed the sum of $50 for hack hire and other expenses, for the arrest and appearance before the bar of this House of members under a call of the House.

Eighth—That Grant Towle, for services rendered as Assistant Clerk, from March 6 to March 10, 1897, be allowed the sum of $24.

Ninth—That whereas, by reason of services rendered by Alexander Barbe, as Assistant Porter in the coatroom of the Assembly, since the 5th day of March, 1897, he be allowed the sum of $60 for such services.

Tenth—That John Varcoe, Enrolling Clerk, and F. Barnett, Engrossing Clerk, be and they are hereby each allowed one week's pay at the rate of $8 per day.

Eleventh—That William Levison, Assistant Enrolling Clerk, be allowed the sum of $56, for one week's pay.

Twelfth—That T. Z. Hardee, A. D. D'Ancona, and C. E. Bryan, Stenographers, be allowed the sum of $207 each, being $3 each per day, from January 11, 1897, to March 20, 1897, for services performed on the Committees on Revision of Codes and Statutes, Judiciary, and Ways and Means.

Thirteenth—That W. T. Hamilton, Clerk of the Minority of this House, be and he is hereby allowed the sum of $35, for one week's pay, from March 13, 1897, to March 20, 1897; and that J. B Stanton, Sergeant-at-Arms of said minority, be and he is hereby allowed the sum of $70, for two weeks' pay, from March 7 to March 20, 1897.

That the Controller of the State be and he is hereby ordered to draw his warrant in favor of the persons above named, and each of them, and for the amounts named, and the Treasurer of the State is hereby directed to pay the same out of the Contingent Fund of the Assembly.

VOSBURG, Chairman.

Mr. Cutter moved to amend the report by striking out all with reference to the Postmistress, and inserting in lieu thereof the following:

That the Mail Carrier, and the Postmistress and her assistants, be and they are hereby instructed to remain at the State Capitol one week after adjournment of the Legislature *sine die*, at their regular per diem, 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 warrants for the same, and the Treasurer is hereby instructed to pay the same out of the Contingent Fund of the Assembly.

Adopted.

Mr. North, of Alameda, moved to amend by striking out all of subdivision twelfth.

Motion lost.

Mr. Leavitt moved to amend by striking out of subdivision fourth the words "less the amount allowed by law."

Motion lost.

Resolution, as amended, adopted.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 20, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following: Assembly Constitutional Amendment No. 37—Relative to proposed amendment to Article VI, by adding a new section relative to consolidated city and county governments.

Also: Assembly Constitutional Amendment No 34—Proposed amendment to Article IV of the Constitution, relative to the sessions of the Legislature.

Also: Assembly Constitutional Amendment No. 38—Proposed amendment to Section 6, Article IV of the Constitution, relative to grammar schools.

F. J. BRANDON, Secretary.
By ALF D. BOWEN, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 20, 1897

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 19th day of March, 1897, concurred in Assembly amendments to Senate Bill No 265—An Act entitled "An Act to amend Section 3009 of the Political Code, relating to the appointment of officers and employés by the San Francisco Board of Health."

Also: To Senate Bill No. 451—An Act to require ordinances and resolutions, passed by the City Council or other legislative body of any municipality, to be presented to the Mayor or other chief executive officer of such municipality for his approval.

Also: To Senate Bill No. 549—An Act to provide for certain improvements and repairs at the San Quentin State Prison, and making an appropriation therefor.

Also: To Senate Bill No. 291—An Act to provide for reseating the hall in the State Normal School building at San José, and for the building of a gymnasium for the said State Normal School, and to provide an appropriation therefor

Also: I am directed to inform your honorable body that the Senate on the 19th day of March, 1897, adopted Assembly Joint Resolution No. 33—Relative to instructing our Representatives in Congress toward securing an appropriation for improving navigation in State waterways, and providing for the disposition of debris.

F. J BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 20, 1897.

MR SPEAKER: I am directed to inform your honorable body that the Senate on the 20th day of March, 1897, adopted Senate Concurrent Resolution No. 4—Relative to the calling of a constitutional convention.

F. J. BRANDON, Secretary.
By ALF. D. BOWEN, Assistant

SENATE CONCURRENT RESOLUTION No. 4

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 Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the fourth day of January, Anno Domini eighteen hundred and ninety-seven, 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-second session of the Legislature of the State of California, commencing on the fourth day of January, Anno Domini eighteen hundred and ninety-seven, 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-second 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

the 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 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 Registrar 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 Senate Concurrent Resolution No. 4.

The roll was called.

Pending the announcement of the result, Mr. Cutter moved a call of the House.

So ordered.

The roll was called, and the following members found present:

Messrs. Arnerich, Belshaw, Bettman, Burnett, Burnham, Caminetti, Chynoweth, Clarke, Cutter, Damon, Dennery, Elliott, Ennis, Fontana, Gately, Godfrey, Guy, Henry, Hill, Houghton, Jones, Kelly, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Robinson, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Wright, and Mr. Speaker.

Mr. North, of Alameda, moved that further proceedings under call of the House be dispensed with.

So ordered.

The Speaker then announced the result of the roll call, and Senate Concurrent Resolution No. 4 refused adoption by the following vote:

AYES—Messrs Belshaw, Bettman, Burnett, Burnham, Caminetti, Cutter, Damon, Dolan, Elliott, Ennis, Fontana, Gately, Godfrey, Goff, Goodhue, Guy, Harris, Henry, Hill, Jones, Keables, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Toland, and Treacy—42

NOES—Messrs. Arnerich, Chynoweth, Clarke, Dennery, Houghton, Hudson, Kelly, Leavitt, and Mr. Speaker—9

Mr. Hudson moved that the Assembly do now reconsider the vote by which Senate Concurrent Resolution No. 4 was lost.

So ordered.

The question being upon the adoption of Senate Concurrent Resolution No. 4.

The roll was called.

Pending the announcement of the result, Mr. Cutter moved a call of the House.

So ordered.

The roll was called, and the following members found present:

Messrs. Arnerich, Belshaw, Bettman, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dolan, Elliott, Ennis, Fontana, Gately, Godfrey, Goff, Guy, Harris, Hill, Henry, Hudson, Jones, Keables, Kelly,

Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Ryan, Shanahan, Sims, Stansell, Strain, Toland, Treacy, Wright, and Mr. Speaker.

Mr. Caminetti moved that further proceedings under call of the House be dispensed with.

Lost.

Mr. Bettman moved that further proceedings under call of the House be dispensed with.

So ordered.

The Speaker then announced the result of the roll call, and Senate Concurrent Resolution No. 4 adopted by the following vote:

AYES—Messrs. Austin, Belshaw, Bettman, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Cutter, Damon, Dolan, Elliott, Ennis, Fontana, Gately, Godfrey, Goff, Guy, Harris, Henry, Hill, Jones, Keables, Keegan, Kelly, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—55.

NOES—Messrs. Arnerich, Clark, Dennery, Hudson, and Leavitt—5.

MOTION.

Mr. Belshaw moved that the report of the Committee on Attachés be now reconsidered.

The ayes and noes were demanded by Messrs. North of Alameda, North of Yolo, and Robinson.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Austin, Belshaw, Bridgford, Burnham, Chynoweth, Clark, Cross Elliott, Fontana, Guy, Leavitt, Lindenberger, Malcolm, Melick, North of Alameda, North of Yolo, Power of Placer, Price, Robinson, Shanahan, Stansell, Toland, Valentine, Wright, and Mr. Speaker—25.

NOES—Messrs Bettman, Burnett, Caminetti, Canavan, Cutter, Damon, Dennery, Dibble, Dolan, Ennis, Gately, Godfrey, Goff, Harris, Henry, Hill, Hudson, Jones, Keables, Keegan, Kelly, Lacy, Landsborough, Mahoney, Mulcrevy, McGrath, Pohlmann, Power of San Francisco, Ryan, Sims, Soward, Strain, and Treacy—33.

REPORT OF COMMITTEE OF FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1897

MR. SPEAKER: Your committee of free conference on Assembly Bill No. 990 have agreed as follows.

We recommend that the Senate recede from its amendment to Section 1, lines 11 and 12 of printed Assembly bill, and that said bill be amended by striking out all after the word "million," in line 11, and all of line 12, and inserting the words "five hundred and fifty-three thousand six hundred and two dollars." Also, that the Senate recede from its amendment to Section 1, lines 18 and 19, and that the Assembly bill as printed in the Assembly be amended by striking out of lines 18 and 19 all after the word "million," in line 18, and inserting the words "five hundred and fifty-three thousand six hundred and two," and that said Assembly Bill No. 990 be passed as so amended.

VALENTINE,
DIBBLE,
BRIDGFORD,
DICKINSON,
VOORHEIS,
DWYER,
Committee of Free Conference.

Mr. Valentine moved that the report of the committee of free conference on Assembly Bill No. 990 be adopted.

So ordered.

The question being on the final passage of Assembly Bill No. 990 as amended by the committee of free conference.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Austin, Belshaw, Bridgford, Burnham, Chynoweth, Clarke, Cross, Cutter, Damon, Dibble, Elliott, Ennis, Gately, Goff, Guy, Harris, Hudson, Jones, Keables, Keegan, Lacy. Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Ryan, Shanahan, Sims, Soward, Stansell, Strain, Toland, Treacy, Vosburg, Wright, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 990 ordered to enrollment.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 20, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the committee of free conference on Assembly Bill No. 990—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes.

F. J. BRANDON, Secretary.
By A. D. BOWEN, Assistant.

RESOLUTION.

By Mr. Melick:

Resolved, That the resolution providing for payment of expenses of Committee on Commissions, Retrenchment, and Public Expenditures, in investigating regarding Assembly Bill No. 410, be amended by inserting the following:

Witness fees of Felix Tracy	$2 00
Expressage on box from Truckee	3 10

Mr. Melick moved that the report of the Committee on Commissions, Retrenchment, and Public Expenditures, as amended by this resolution, be adopted.

So ordered.

MOTION.

Mr. Bridgford moved that the Assembly take up Senate Bills Nos. 503, 601, 336, 248, 534, 535, 537, 248, and 561, immediately.

So ordered.

APPROVAL OF JOURNAL.

The Journal of Friday, March 19th, was approved as corrected.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Concurrent Resolution No. 6—Relative to appointing a joint committee to examine into and report upon charges made by Governor against State Printer.

Also: Assembly Bill No. 937—An Act making appropriations for the support of the government of the State of California, for the forty-ninth and fiftieth fiscal years.

Also: Assembly Bill No 214—An Act making an appropriation to pay the deficiency incurred by calling the National Guard of California into service, by order of the Governor, in 1894.

Also: Assembly Bill No. 533—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-eighth fiscal year

Also: Assembly Bill No. 108—An Act making an appropriation to pay for the support of the Southern California State Asylum for the Insane and Inebriates, for the remainder of the forty-eighth fiscal year.

Also: Assembly Bill No. 208—An Act making an appropriation to pay the deficiency in the appropriation for support of Southern California Hospital for the Insane and Inebriates, for the forty-seventh fiscal year.

Also: Assembly Bill No. 235—An Act making an appropriation to pay the claim of Cassasa's First Regiment Band, for music furnished for the funerals of the late Generals Dimond and McComb

Also: Assembly Bill No 312—An Act to provide for the relief of Charles F. Wells, and to appropriate money therefor.

Also: Assembly Bill No. 735—An Act making an appropriation to pay the claim of Charles Nelson, arising upon the judgment recovered by said Nelson against the State of California, in the Superior Court of the City and County of San Francisco, on May 27, 1896.

Also: Assembly Bill No. 250—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant-Governor Millard.

Also: Assembly Bill No. 646—An Act making an appropriation to pay the claim of James V. Hicks against the State of California.

Also: Assembly Bill No. 631—An Act to repeal Section 3640 of the Political Code of California, relating to the duties of Assessors.

Also: Assembly Bill No. 796—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 bonds.

Also: Assembly Bill No. 932—An Act making an appropriation to pay the claim of Charles W. Metcalf against the State of California

Also: Assembly Bill No. 958—An Act to repay and reimburse John C. Pelton for money expended and for services rendered in establishing the first free public school in the State of California

Also: Assembly Bill No. 478—An Act making an appropriation to pay the deficiency in the appropriation for the payment of expenses incurred in calling the National Guard of California into service, by order of the Governor, during the year 1894.

Also: Assembly Bill No. 242—An Act making an appropriation to pay the claim of R. L. Peeler for expenses incurred in attending the funeral of the late General Dimond.

Also: Assembly Bill No. 248—An Act making an appropriation to pay the claim of the Herald Publishing Company, for advertising the constitutional amendments.

Also: Assembly Bill No. 245—An Act making an appropriation to pay the claim of James H. Barry, publisher of the Star, for advertising the constitutional amendments

Also: Assembly Bill No. 288—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building and furniture, etc.

Also: Assembly Bill No 318—An Act making an appropriation to pay claim for traveling expenses of John F. Kidder from August 15, 1893, to December 21, 1895.

Also. Assembly Bill No 228—An Act making an appropriation to pay the claim of Earl H. Daggett, for the arrest of Daniel McCall, for attempted highway robbery.

Also: Assembly Bill No 271—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Also· Assembly Bill No. 223—An Act making an appropriation to pay the claim of Edwin F. Ingles, for the arrest of F. J. Morgan, for attempted highway robbery.

Also: Assembly Bill No. 207—An Act making an appropriation to pay the claim of Britton & Rey, for expenses incurred in furnishing maps to State Mining Bureau.

Also: Assembly Bill No. 161—An Act to pay the claim of W. H. Donnelly against the State of California, and making an appropriation therefor.

Also: Assembly Bill No 216—An Act making an appropriation to pay the deficiency in the appropriation for postage and contingent expenses of the Clerk of the Supreme Court for the forty-sixth fiscal year.

Also: Assembly Bill No 218—An Act making an appropriation to pay the deficiency in the appropriation for pay of stenographer for the State Board of Railroad Commissioners, for services rendered by Frank H. Lombard.

Also: Assembly Bill No. 5—An Act for the relief 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: Assembly Bill No 239—An Act making an appropriation to pay expenses incurred by the Commission for the Revision and Reform of the Law.

Also: Assembly Bill No. 979—An Act to appropriate money for the payment of interest on the sum of $79,750, being part of the endowment fund of the University of California, heretofore withheld and used for other State purposes, until the State elects to pay said principal sum of $79,750

Also: Assembly Bill No. 220—An Act making an appropriation to pay the deficiency in the appropriation for care of State burial grounds, for services rendered by W. C. Farnsworth.

Also: Assembly Bill No 437—An Act making an appropriation to pay the claim of F. M. Millikan, for publishing delinquent purchasers of State school lands.

Also: Assembly Bill No. 240—An Act making an appropriation to pay the deficiency in the appropriation "To provide for the erection and operation of rock-crushing plants at the State prisons," etc.

Also: Assembly Bill No. 717—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. 230—An Act making an appropriation for the payment of the claim of A. J. Bogard, administrator of the estate of J. J. Bogard, deceased, for the arrest of Samuel Maguire for attempted highway robbery.

Also: Assembly Bill No. 156—An Act making an appropriation to pay the claim of Ernest Weyand, District Attorney of Colusa County, for moneys expended in behalf

of the State of California for foreclosing State school lands in Colusa County, State of California

Also: Assembly Bill No. 241—An Act making an appropriation to pay the expenses incurred for the funeral of the late State Librarian, W. D. Perkins.

Also: Assembly Bill No. 222—An Act making an appropriation to pay the deficiency in the appropriation for the arrest and conviction of highway robbers, to pay the claim of George A. Parker.

Also: Assembly Bill No. 221—An Act making an appropriation to pay the deficiency in the appropriation for the arrest and conviction of highway robbers, to pay the claim of George A. Parker, for the arrest and conviction of Ed. Ward.

Also: Assembly Bill No. 219—An Act making an appropriation to pay the deficiency in the appropriation for the forestry stations for the forty-sixth fiscal year.

Also: Assembly Bill No. 210—An Act making an appropriation to pay the deficiency in the appropriation for transportation of prisoners, for payment of the claim of W. C. Conroy, in conveying children to Whittier.

Also: Assembly Bill No. 729—An Act to amend Section 3571 of the Political Code, relating to the repayment of purchase price of land sold, which is not the property of the State, and providing for a certificate of restitution, to issue when the certificate of purchase to such land has been annulled for non-payment of interest.

Also: Assembly Bill No. 928—An Act appropriating money to pay the expenses of collecting, preparing, forwarding, installing and maintaining, taking down and returning, an exhibit of the products of the State of California, at the Hamburg Horticultural Exposition, to be held at Hamburg, Germany, in 1897, and to provide for a commission, secretary of a commission, and the pay of the secretary thereof.

Also: Assembly Bill No. 332—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Also: Assembly Bill No 615—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 285—An Act for the employment of the homeless and the unemployed, and for the punishment of vagrants

Also: Assembly Bill No. 212—An Act making an appropriation to pay the claim of Charles Phipps, for services rendered as Assistant Secretary of the State Board of Examiners, from February 15, 1891, to March 21, 1891.

Also: Assembly Bill No. 231—An Act making an appropriation to pay the claim of W. N. Hendricks, for the arrest of John Keener for attempted highway robbery.

Also: Assembly Bill No. 842—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

Also: Assembly Bill No. 897—An Act to authorize the Governor to employ an agent to collect certain claims due the State of California by the United States, and to provide compensation for such services.

Also: Assembly Bill No. 340—An Act making an appropriation to pay the claim of Clement Bennett for reporting the case of The Southern Pacific Company vs. The Board of Railroad Commissioners.

Also: Assembly Bill No. 213—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of The Southern Pacific Company vs. The Board of Railroad Commissioners of the State of California.

And presented the same to the Governor on this day, at eleven o'clock and fifty-five minutes A. M.

FONTANA, Chairman.

MOTION.

Mr. Wright moved that the resolution and the record of the language taken down on yesterday, in the matter of Senate Bill No. 314, be expunged from the record.

So ordered.

SPECIAL URGENCY FILE.

Senate Bill No. 503—An Act to amend 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 third time.

The question being on the final passage of Senate Bill No. 503.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Austin, Belshaw, Breiling, Bridgford, Burnham, Caminetti, Canavan, Chynoweth, Clarke, Cross, Cutter, Dibble, Dolan, Elliott, Ennis, Fontana, Godfrey, Goff, Guy, Henry, Hill, Houghton, Hudson, Jones, Keegan, Lacy, Landsborough, Lindenberger, Mahoney, Malcolm, Melick, Mulcrevy, McGrath, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Robinson, Ryan, Shanahan, Sims, Soward, Strain, Toland, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—49.
NOES—None.

Title read and approved.

Senate Bill No. 601—An Act to amend Section 1238 of the Penal Code, relating to appeals by the people.

Read third time.

The question being on the final passage of Senate Bill No. 601.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Austin, Belshaw, Breiling, Bridgford, Burnett, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Fontana, Goff, Guy, Harris, Henry, Hill, Houghton, Hudson, Jones, Keegan, Kelly, Landsborough, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Robinson, Ryan, Shanahan, Sims, Soward, Stansell, Tracy, Valentine, and Vosburg—49.
NOES—Messrs. Arnerich, Ennis, Godfrey, Leavitt, and Wright—5.

Title read and approved.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 20, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 20th day of March, 1897, refused to adopt Assembly Constitutional Amendment No. 30—Proposed amendment to Article XIII, Section 1, of the Constitution, relative to revenue and taxation.

Also: Refused to adopt Assembly Constitutional Amendment No. 40—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.

Also: Adopted Substitute for Assembly Joint Resolution No 27—Relative to the punishment of seamen for leaving a vessel before the expiration of the term of service agreed upon.

F. J. BRANDON, Secretary.
By ALF D. BOWEN, Assistant.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 534—An Act to add a new section to the Penal Code, to be designated as Section 354½, making it a misdemeanor to fill, sell, buy, or otherwise dispose of, or traffic in, any cask, keg, bottle, vessel, siphon, can, case, or other package bearing the duly filed trademark or name of another, printed, branded, stamped, engrossed, etched, blown, or otherwise attached or produced thereon.

Read third time.

The question being on the final passage of Senate Bill No. 534.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Belshaw, Bettman, Breiling, Bridgford, Burnett, Burnham, Caminetti, Canavan, Chynoweth, Cross, Cutter, Damon, Dennery, Dibble, Dolan, Elliott, Fontana, Gately, Goff, Harris, Hill, Hudson, Jones, Kelly, Landsborough, Leavitt, Lindenberger, Mahoney, Malcolm, Mead, Melick, Mulcrevy, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Power of San Francisco, Price, Ryan, Sims, Soward, Stansell, Strain, Treacy, Valentine, Vosburg, Wright, and Mr. Speaker—49.
NOES—Messrs. Arnerich, Clarke, Ennis, Godfrey, Keegan, and Robinson—6.

Title read and approved.

Senate Bill No. 336—An Act to amend Section 1238 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 Senate Bill No. 336.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Belshaw, Burnham, Clarke, Cross, Cutter, Damon, Dibble, Goff, Hill, Houghton, Jones, Lindenberger, Malcolm, Mead, Melick, Power of Placer, Sims, Soward, Stansell, Valentine, Vosburg, and Mr. Speaker—22

NOES—Messrs. Arnerich, Austin, Bettman, Caminetti, Canavan, Chynoweth, Dennery, Dolan, Gately, Godfrey, Harris, Henry, Keegan, Kelly, Lacy, Landsborough, Leavitt, Mulcrevy, McGrath, North of Alameda, Price, Toland, and Wright—23.

REPORT OF SPECIAL COMMITTEE.

SACRAMENTO, CALIFORNIA, March 20, 1897.

To the Honorable the Legislature of the State of California:

The undersigned, a majority of your joint committee appointed by Assembly Concurrent Resolution No. 6 to examine into and report upon all matters connected with or in any way pertaining to the charges and statements made by the Governor relative to the management and conduct of the business and affairs of the State Printing Office, in his veto message vetoing Assembly Bill No 263, dated February 9, 1897, and to report upon all matters and things in any way connected with or pertaining to the management and conduct generally, by the Superintendent of State Printing, of the business and affairs of his office, and to examine into and report upon the necessity for an appropriation for its support, and to carry on its business, for the remainder of the forty-eighth fiscal year, and the proper amount required for such purpose, and such legislative measures as may be deemed necessary to insure a strictly economical administration of the affairs of such printing office, have had the same under consideration, and beg leave to report as follows:

Your committee has taken a great deal of testimony, and all of the testimony of which it had any knowledge, and has pursued its inquiries in every way known to it to get at the facts concerning matters to be inquired into, in order that your committee might fully comply with the instructions received from your honorable body.

The committee, owing to lack of time and press of business upon the Chief Executive, have been unable to receive that assistance from him in this examination which it hoped to. The assistance received from him is wholly disclosed by the following correspondence:

On the 3d of March, 1897, your committee addressed to the Governor the following letter:

"SACRAMENTO, CALIFORNIA, March 3, 1897.

"*Hon.* JAMES H. BUDD, *Governor of California:*

"DEAR SIR: I am instructed by the committee having in hand the investigation of the State Printer's office, under the resolutions of the Senate and House, to request that you will appear before said committee with such papers, documents, and evidence as you may have regarding the said office, and the matters under investigation, and testify regarding the same.

"J. H. DICKINSON, Chairman."

To which, under date of March 10, 1897, it received the following reply:

"EXECUTIVE DEPARTMENT, SACRAMENTO, CAL., March 10, 1897.

"*Hon.* JOHN H. DICKINSON, *Chairman Special Investigating Committee, etc., Sacramento, Cal.:*

"DEAR SIR: Yours of date March 3d, in relation to the State Printing investigation, did not reach me personally until to-day, nor did I know that the same had been received until I saw the statement to that effect in this morning's 'Record-Union.' I had been informed that such invitation had been voted to be sent by your committee, and had prepared in part the rough draft of a reply. I also asked for said letter in my office several times from the date of my information to the present. Whether I had time to appear or not, I recognize that your committee was entitled to an immediate response in character equally as friendly as your letter to me. This morning, after a search, your letter was found in the bottom of a basket of other letters, where it had been placed and evidently forgotten by my private secretary, Mr. E. D. McCabe. I have no apologies to offer for his oversight, other than the great press of business in this office attending the session. When your second letter reaches me, I will at the first possible moment consider the same. You will recognize the fact that, while this session of the Legislature will run without the personal attendance of individual members, the Governor is compelled to pass upon all measures before him, and that he notified you in his first biennial message: 'These last ten days are the busiest days of the session; both Governor and legislators work from early morning until long after midnight; and but for the wisdom of our Constitution-makers in giving the Governor ten days after the adjournment of the Legislature, he would be unable, almost in any degree, to consider or even read the volume of measures that pour in upon him at the rate of twenty and upward per day. The Governor should be given sufficient time in which to familiarize himself with each measure submitted to him for his signature, and should not be

required to pass upon any measure until after careful consideration. The time is too short now to consider the volume of business thrust upon a Governor during these ten days; and he would be better able to act fairly if a constitutional amendment gave him thirty days after the expiration of the session in which to consider such bills'

"You will recall that my veto message of the printing bill reached the Legislature on the 9th of February, and that your letter to me was not sent or drafted until nearly one month later—March 3, 1897—during the busiest portion of the session.

"Yours very truly,

"(Signed:) JAMES H. BUDD."

Immediately before receiving the last letter, your committee sent the following communication to the Governor:

"SACRAMENTO, March 9, 1897

"*Hon.* JAMES H. BUDD, *Governor of the State of California*

"DEAR SIR: I am instructed by the committee appointed by Assembly Concurrent Resolution No. 6, adopted in the Assembly on the 17th inst, and in the Senate on the 24th inst., to transmit to you the following communication, to which, by reason of the shortness of the time remaining of the present session of the Legislature, we respectfully request an early answer:

"WHEREAS, On the 9th day of February, 1897, in your message to the Assembly of the Legislature of the State of California, setting forth your reasons for vetoing Assembly Bill No. 263, entitled 'An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year,' you charged the Superintendent of State Printing of this State with mismanagement and extravagance in his management and conduct of the business and affairs of the State Printing Office of this State, and in his expenditure of the appropriations heretofore made by the Legislature for the support and maintenance of said State Printing Office; and

"WHEREAS, You supplemented your said charges in said message with sundry general statements and figures concerning the management and conduct of said State Printing Office by said Superintendent of State Printing, and concerning the business and affairs generally of said State Printing Office, and the past appropriations for the support and maintenance thereof, many of which said statements and figures purported to be taken by you from and to be conclusions based upon certain alleged evidence which you claim to have in your possession; and

"WHEREAS, By Assembly Concurrent Resolution No. 6, the Legislature of the State of California appointed Senators Dickinson, Gillette, and Seawell, members of the Senate, and Messrs Price, Dennery, and Caminetti, members of the Assembly of said Legislature, a joint committee to examine into and report upon the said charges made by you in your said message, and to examine into and report upon the management and conduct generally by the Superintendent of State Printing of the business and affairs of the State Printing Office, and to examine into and report upon the necessity for an appropriation for the support and maintenance of, and the conduct of the business of the said State Printing Office for the remainder of the forty-eighth fiscal year, and the probable amount thereof, *giving and conferring upon said joint committee full power and* authority to do any and everything necessary to a full and complete investigation of all of said matters, and

"WHEREAS, It is the desire of said joint committee to make said investigation as full and complete as possible; and

"WHEREAS, The said joint committee is informed that you have stated that you have collected and have in your possession, and have knowledge of, a large amount of valuable evidence concerning the said charges made by you in your said veto message, and concerning the management and conduct generally by the said Superintendent of State Printing of the business and affairs of said State Printing Office, and concerning each and all of the matters and things which said joint committee was appointed to inquire into and report upon; and

"WHEREAS, The said joint committee is not possessed of the said alleged evidence or any evidence tending in any way to support the charges which you have preferred against the said Superintendent of State Printing; and

"WHEREAS, It is of the highest importance to and to the best interests of the State that all of the facts possible pertaining to the management and conduct of the said State Printing Office and its business and affairs generally, and to each and all of the matters enumerated in said Concurrent Resolution No. 6, appointing the said joint committee, should be fully inquired into at this time by the said joint committee, and brought out by this investigation; and

"WHEREAS, The said joint committee deems it absolutely essential to the proper performance of its duties, and to a full and complete investigation of the matters and things which it was appointed to inquire into and report upon, that it should be unreservedly placed in the full possession of any and all evidence of every kind and character, in any way bearing upon either or any of the matters and things which the said committee was appointed to investigate; and

"WHEREAS, This committee did, on the 3d day of March, 1897, address and deliver to you a letter in the following words.

"'SACRAMENTO, CALIFORNIA, March 3, 1897.

"'*Hon.* JAMES H. BUDD, *Governor of California:*

"'DEAR SIR: I am instructed by the committee having in hand the investigation of the State Printer's office, under the resolutions of the Senate and House, to request that

you will appear before said committee with such papers, documents, and evidence as you may have regarding the said office, and the matters under investigation, and testify regarding the same.

"'J. H. DICKINSON, Chairman.'

"To which this committee has not received any reply; and

"WHEREAS, The said joint committee is aware that it is powerless to compel you by subpœna, or otherwise, to appear before it and give testimony, if you should elect to avail yourself of your prerogative as Chief Executive, or should base it upon a press of executive business, or the privilege with which you may, in your discretion, withhold communications made to you in your official capacity, and information gathered by you to guide you in the performance of your official duties;

"Now, therefore, in view of the premises, and in view of the gravity of the charges made by you in your said message against the said Superintendent of State Printing, and in view of the fact that the integrity of a State officer is in question, and the proper expenditure of State money is being considered, the said joint committee respectfully and earnestly requests you to cooperate with it in this investigation, and to appear before it and furnish it with any and all evidence of every kind and character of which you may be possessed in any way concerning the said charges, or either or any of the said charges, made by you in your said message, or concerning any of the matters and things which this committee was appointed to inquire into and report upon. The committee holds itself subject to your convenience, and respectfully requests an early reply.

"Respectfully, your obedient servant,

"JOHN H. DICKINSON, Chairman."

To which, on the 15th day of March, 1897, the committee received the following reply:

"*Hon.* JOHN H. DICKINSON, *Chairman Investigating Committee, etc., Sacramento, California:*

"DEAR SIR: Since answering your letter of March 3d, I have received another letter from your committee, of date March 9th, to which at this, the earliest possible moment, I hope you will permit me to reply. In this letter, which requests from me certain evidence, and requests my coöperation in the investigation now in progress before you, you recite that you have discovered 'no evidence tending in any way to support the charges' which I have made against the Superintendent of State Printing in my veto message of February 9th last. I am surprised that you should regard the evidence already in your possession so lightly, and in this connection would call certain facts to your attention

"I complained in my veto message that Section 531 of the Political Code requires the Superintendent to make a report to the Governor 'embracing a record of the complete transactions of his office,' 'which report shall show in detail all the items of expense attending the State printing, and all the expenses of the office,' and that the Superintendent had failed to make the report required by that section. You have the report, and you have the law. Ordinarily, the fact that the report did not comply with the law might be deemed some 'evidence tending in any way to support the charges'

"I complained that the Superintendent presented a payroll for labor performed for the time from July 1 to July 18, 1896. Attached to this payroll was a sworn statement that the services were actually rendered 'in the manner and on the dates as above stated, and that the services herein mentioned were actually rendered.' Mr. Johnston's foreman, Mr. Thorpe, has admitted, before your committee, that the statements made in this affidavit were not correct. Mr. Johnston's affidavit is on file with the Controller, and the facts are before you. This is *some evidence*

"I stated that Mr. Johnston had failed to make application to the Board of Examiners for permission to incur a deficiency, as he is specifically required by law to do, and I transmitted with my veto a copy of his letters, from which the truth of this statement appears, and these letters are printed in the Assembly Journal of February 9th last.

"I stated that his recent official report to me, dated September 15, 1896, shows that for the fiscal year ending June 30, 1896, he had expended of the appropriation for the support of his office $146,000 59—or more than one half of his appropriation, and in addition had used stock on hand to the value of $12,085 76—making the total expenditure for the year $158 086 35, and that he claimed to have done less than $95,000 worth of work. Mr. Johnston's own report of that date is before you, and on its face bears indisputable evidence of the truth of this statement. This is *more* evidence supporting my charges.

"I was informed that when Mr. Johnston was before your committee, and was asked to explain this great discrepancy, he testified under oath that his report to the Governor was not correct in its statement of the amount of money used for the work and materials of the forty-seventh fiscal year.

"I further understand that Mr. Johnston testified that he had expended of the appropriation made for the forty-seventh and forty-eighth fiscal years, for labor done, materials purchased, and indebtedness incurred during the latter part of the forty-sixth fiscal year, about $28,000.

'It is possible that your committee has overlooked the full import of this admission. It conclusively shows that the Superintendent of State Printing created a deficiency during the forty-sixth fiscal year, and endeavored to incur an indebtedness in violation of plain provisions of law. No provision of our law is more plainly expressed than this, that no officer 'in the service of the State shall have power to create any deficiency in

excess of any appropriation of money made by law,' except upon the unanimous written consent of the Governor, Attorney-General, and Secretary of State, and any indebtedness attempted in violation of this requirement 'shall be absolutely null and void,' and shall not be 'paid out of any State appropriation.'

"When the Superintendent of State Printing used this sum of about $28,000 out of the appropriation specifically for the forty-seventh and forty-eighth fiscal years, to pay an indebtedness incurred in the *forty-sixth* fiscal year, in direct violation of law, he caused a misappliance of the funds set apart for the support of his office for said forty-seventh and forty-eighth fiscal years, paying out of an appropriation for that time a debt unlawfully contracted at a previous time, and which the law in express language provided should not be 'paid out of any State appropriation.' When you add that, in order to have accomplished this, Mr. Johnston must have made an oath to the State Board of Examiners as to the correctness of the claims, and that they were for work, labor, and materials furnished and done in the forty-seventh fiscal year, you might be said to have some 'evidence tending in any way to support the charges.'

"The records of the Controller's office will show that Mr. Johnston's claims did not state that they were for indebtedness incurred, as he stated, in the forty-sixth fiscal year, and that if money was drawn for that purpose it was without the knowledge of the Controller, and in violation of law.

"I annex a letter from the Hon. E. P. Colgan, State Controller, in reply to my inquiry into this question, which is self-explanatory.

"It is useless to expect any conflict between the Controller's figures and the Printer's for expenditures, as the former are based on the sworn statements of the latter.

"Mr. Johnston has frequently attempted to explain any irregularity which might appear in the management of his office by saying that no money was drawn from his appropriation except upon claims allowed by the State Board of Examiners. When it is recalled that the only evidence before the board for its information is the sworn statement of that gentleman, and when you thus find that affidavits of this character, and of the character of the affidavit attached to the payroll of July 1 to July 18, 1896, are known to have been made, you will realize how little check there is upon the expenditure of the vast sum biennially appropriated for the support of the State Printing Office.

"Another statement I made in my veto message was that the State Board of Education, which, under the law and Constitution, has the right to order printed the school text-books, made an order directing the Superintendent to print no more copies of a certain grammar until the further order of the board. This order was one which they had authority to make, and which it was the Superintendent's duty to obey, and any responsibility for its observance rested alone upon the Board of Education. Mr. Johnston admits to you that he violated this order of the authority which the law and the Constitution placed above him, and printed ten thousand copies of the forbidden grammar, with the result that he has nearly eight thousand copies on hand unused.

"I also charged that he had paid a higher price for coal than was necessary, and, when before your committee, he testified he had paid higher prices for coal than had been paid for coal purchased under contract by other State officers, but that the reason he had done so was that the coal he purchased had a greater steam and power producing capacity than the contract coal. The fact remains that the coal which was being bought under contract at a less rate than he was paying, brings a higher price in the general market, and later, when bids were received for both varieties, the coal for which the Superintendent was paying the higher price was offered at a lower rate than the other variety, and both materially lower than the cheaper variety.

"I stated the circumstances attending the contract he made for an electrical plant. This contract was improperly entered into, and the facts attending it, and the impropriеties with which it was surrounded, can easily be discovered and verified by the secretary of the Board of Examiners, by the Hon. L. H. Brown, and by the proprietors, managers, or employés of electrical companies in Sacramento.

"My statement regarding Mr. Taylor and the information he has given me was amply verified by that gentleman in his sworn statement before you, and you must remember that Mr. Johnston has borne strong testimony as to the capacity and ability of Mr. Taylor.

"I charged that the cost of public printing in this State was all out of proportion to its amount, and was much more expensive than the printing in other States. The figures to verify this statement are at your command, as is the Library Bulletin of New York, where the figures are tabulated and compared, and you can with equal facility verify my statement, that the statement Mr. Johnston, made to me of the printing done for my predecessor, was incorrect.

"In your communication to me, you state that you deem it essential to the performance of your duty, and to a full and complete investigation of the matter you are charged with investigating, that you should be placed in the full possession of all evidence of every character relating to this matter, and as you asked my cooperation, I would suggest that you examine the Superintendent of State Printing, and his employés, in detail, as to the statements in my message, and that you secure experts to determine why an expenditure of $146,000 produced only $94,000 worth of work, and to learn the capacity of the presses, compositors, and other employés and machines, and to determine as to the number of persons necessary to operate the machines and do the work, and if the number employed was greater than the capacity of the machines and the demands of the institution would justify. You might examine the payrolls, and determine if there was any increase in the number of persons employed immediately before or after

the holding of political primaries or conventions, or immediately before an election. The expert might then report if the work ordered at these times, or the work actually performed at such times of full rolls, justified the increased employment. Some 'evidence tending in any way to support the charges' might then be discovered.

"You might submit orders which have been executed at the State Printing Office to any leading San Francisco houses which do not deal with that office, and get their estimates as to what they would do the work for. To a perfectly unprejudiced mind, it might be regarded as a circumstance tending to support my charges that extravagance was practiced in that office, that the payroll of the first eight weeks of the present session exceeds the payroll for the corresponding time of the last session by over $14,000, and this, although you have simplified the method of legislative printing.

"You might inquire why the Superintendent had never given the Governor the statement required by the Political Code, and why, in answer to all inquiries of this office, he has given only the unsatisfactory statements contained in the appendix to my veto message, and you might renew to him the questions which he has as yet neglected to answer to me. You might also ask him why, in giving me a statement of the work he had done for Governor Markham, he omitted so many items, and whether such omissions were willful or the result of improper bookkeeping. And the fact that he had to change the figures on his books by nearly $10,000 to make them balance in the forty-fourth fiscal year, might further enlighten you.

"I might call your attention to the report of the Assembly Committee on Commissions, Retrenchment, and Public Expenditures, which was submitted February 11, 1897 In this report the committee states that in the books and accounts of the State Printing Office they found an 'apparent irregularity,' for which they, after examining Mr. Johnston, his bookkeeper, and his foreman, were unable to give a reason. They further reported 'that in the matter of the publication of State documents, the method is of such character as tends to unnecessary expenditures of State money; that the so-called "legislative printing" account is loosely conducted,' etc. This committee was enabled, after two days' investigation, to discover irregularities in the Superintendent's accounts, and that the State moneys were unnecessarily expended in that office, and its members might, if appealed to, supply you with some 'evidence tending in any way to support the charges' of irregularities in this office, and its accounts and management

"I will again state that the extreme press of official business has prevented me taking part in the investigation which you are conducting, and which I deemed you truly competent to successfully conduct. In view of the grave case which the record discloses, I cannot account for your statement that you have discovered nothing, and submit that if the facts set forth above do not constitute 'evidence tending in any way to support the charges' I made in my veto message, then these charges could not be sustained by any evidence.

"Yours respectfully,

"JAMES H. BUDD, Governor.

"March 13, 1897.

"P. S.—Since finishing the above I understand that an 'incomplete report' of the printing experts shows that, while they are unable, from lack of time, to make a thorough investigation, or, as they say, '*to go into the subject thoroughly and do it properly*, we decided to deal with the work intrusted to us in a *general manner* and see if, *by our recommendations, we could improve the methods in vogue* in some parts of the establishment, and thereby save *unnecessary expenditure* existing under the present conditions'

"And they concluded as follows: 'If the foregoing recommendations are adopted and properly enforced, we estimate that a saving of from $15,000 to $20,000 per year will accrue to the State.'

"I deem that a saving of $40,000 biennially on this 'incomplete investigation' will certainly be of great value to the taxpayers.

"Yours truly,

"JAMES H. BUDD"

"(Enclosure:)

"CONTROLLER'S DEPARTMENT, STATE OF CALIFORNIA, March 10, 1897.

"*Hon.* JAMES H. BUDD, *Governor, Sacramento, California*·

"DEAR SIR: Replying to your inquiry of even date, I beg to state that no claim of the State Printing Office for work or labor done, or supplies or materials furnished, during the forty-sixth fiscal year, has been paid out of the appropriation for the support of that office for the forty-seventh fiscal year. This could not be done under the law, as the appropriation for the support of the State Printing Office for the forty-seventh and forty-eighth fiscal years is included in the General Appropriation Act of 1895, and cannot be expended for bills or claims accruing in any other fiscal years The bills, which are sworn to by the Superintendent of State Printing as being correct, must show on their face the fiscal year in which the indebtedness was incurred, and I could not legally draw my warrant against the appropriation for the forty-seventh fiscal year in payment of an indebtedness for the forty-sixth fiscal year.

"Very respectfully,

"E. P. COLGAN, Controller."

The above covers all of the correspondence between your committee and the Governor, and the information received thereon

By the resolution, the minority committee were authorized to appoint an expert accountant and an expert printer to assist the committee in such examinations as they might be directed to make. The majority of the committee also appointed an expert accountant and an expert printer. Mr. L. Wadham and Mr J. C. Ruddock were appointed expert accountants, and Mr. Frank Malloye and Mr. Walter Brunt were appointed expert printers. Owing to the shortness of time at the disposal of your committee within which to make the investigation, it was deemed best to commence with the present administration of Mr Johnston's office, since his election thereto, in January, 1895, and bring the examination down to date; and if anything should be developed rendering it proper or necessary, or should there be sufficient time, to let the examination go as far back as possible The accountants have experted the books, commencing with July, 1894, and the result of their examination of the books is fully set forth in their reports to the committee, which reports accompany this report. The reports of the printing experts show also what they have done, and the method and nature of the examination made by them, and their reports also accompany this report.

Your committee deems it proper at this time to take up in order the matters contained in the said veto message, and answer them, as the result of this investigation shows the facts to be In the veto message, complaint is made that the title of the Act, Assembly Bill No. 263, to wit, "An Act making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year," is intended to serve the purpose of a deficiency appropriation, and then citations are given from the statutes to the effect that no officer or employé in the service of the State shall create any deficiency without permission of the Board of Examiners

In reply to this, we beg to state that it has been usual to pass an appropriation bill at each session of the Legislature in the general form of Assembly Bill No 263, and we are unable to see how it can be complained of as serving the purpose of a deficiency appropriation, when the fact is understood that at the time when said bill was introduced in the Assembly there was no deficiency, and that this appropriation was asked for and intended to pay the expenses of the continuance of the business of the State Printing Department.

In our judgment it was not necessary for the Superintendent of State Printing to obtain from the Board of Examiners any showing as to the actual necessity for the moneys asked for in that bill, having in view the idea all the time that there was no deficiency, and that none would necessarily accrue before the passage of the bill in the ordinary course of legislative business. It will be remembered that Mr. Johnston is a State officer, elected by the people, and under bonds to perform his duty like other State officers He is, of course, amenable to the law, and he seems, by the testimony of himself and also of the Attorney-General, with whom we frequently consulted, to have continuously endeavored to comply with the law during his administration. And while it is true, as stated in the veto message, that he did make a written application to the Board of Examiners for a written recommendation to the Legislature for the appropriation asked for in Assembly Bill No. 263, and that he did withdraw the same, still, we do not see that he is subject to any criticism for that. He desired the recommendation as an assistance to his getting the amount allowed by the Legislature, and that is the only object he could have had in applying for a recommendation, and is the only effect passing on the recommendation could have had

As to the necessity of the appropriation, it has been fully verified, because, subsequently to the vetoing of Assembly Bill No. 263, one bill for $40,000 for the benefit of the State Printing Office had been passed and approved by the Governor, and another bill for $35,000 has been similarly passed and the Governor permitted it to become a law without objecting thereto, neither did he approve the bill. So that the effect is that $75,000 has been appropriated. And another bill is now pending for the appropriation of an additional sum of $7,500 to complete the work of the present fiscal year.

It will be remembered that when Assembly Bill No 263 was introduced, the Legislature was in session, and the money appropriated by that bill was required chiefly for the use of the Legislature in having the necessary printing done to enable it to conduct its business And again, it will be remembered that if the $75,000 had been at that time appropriated, none of it goes to or is handled by the Superintendent of the State Printing Department, or by any one in his office Every claim for labor or material, or charge of any kind, paid for out of the funds appropriated for the support of this department, has first to be presented to the Board of Examiners, approved by them, and then the warrants are drawn directly to the party having the claim and delivered to him. So that the State Printing Department never handles a dollar in any way, and therefore the money appropriated for its maintenance and support remains at all times in the treasury until called for by the Controller's warrant, issued upon a claim approved by the State Board of Examiners.

Attention is called in the veto message to the fact that the title of Assembly Bill No. 263 is subject to the vital constitutional objection that it "embraces more than one subject, which subject shall be expressed in its title" This is a matter on construction of the language, and we submit that an examination of the title will show that the Act was for but one purpose, and that purpose was "making an appropriation for the support of the State Printing Office for the forty-eighth fiscal year."

In the veto message, stress is laid upon the fact that two years ago, in passing upon the appropriations made by the Legislature for the support of the State Printing Office, the Governor approved the allowance of $250,000, upon the expressed assurance of the Superintendent that he would operate his office within the proposed appropriation, and

would neither allow nor create a deficiency. Regarding this matter, your committee begs leave to report that nowhere has it been charged that there has been any defalcation or malfeasance in the administration of the State Printing Department, but that by reason of careless and extravagant management, much more money has been required to maintain and support the department than has been necessary From an examination of the testimony, and the reports of our experts, we are satisfied that the business of the State Printing Office has been properly and economically conducted. The work turned out has been of good quality, as it should be, and the cost of turning the same out is but a trifle, if anything, more than it costs to do similar work in private printing establishments having the capacity to do such work, and Mr Johnston was undoubtedly sincere when he told the Governor that he should conduct his office within the $250,000 to the end of the forty-eighth fiscal year, or July 1, 1897. But it has turned out as a fact that it has cost more than that amount, and we therefore see no reason why, because he erred in making a guess (which it necessarily was) as to what it would cost, that the necessary support and maintenance of the office should be interfered with in any way. He accounts in every detail for his expenditure of the entire amount of money, to wit, $250,000, and after so doing, there remains a large amount of work to be done, including nearly all of the necessary legislative printing for the current session. This had to be done, and money had to be appropriated with which to do it.

It also appears that some work, such as printing for the Bureau of Highways, the Dairy Bureau, the printing necessary in the suit between the Railroad Commissioners and the Southern Pacific Company, and some other matters, were not considered when $250,000 was believed to be sufficient And in the absolute lack of any evidence of any wrongdoing or malfeasance in the management of the department, Mr Johnston, in our judgment, is merely chargeable with having erred in his judgment and estimates The Governor thought that $200,000 would be sufficient Mr. Johnston thought it required $250,000. The Governor yielded to Mr Johnston's judgment. Experience has shown that both erred and were mistaken in the premises.

With regard to the charge that more was being paid for articles and supplies in the State Printing Department, and that there was, in many instances, a considerably higher price paid than was paid by persons purchasing by contract, we have no means of verifying that statement in the veto message. But an examination of the testimony and of the reports of experts will show that there has been no difficulty in these matters, and that purchases have been made at the fair market price, and in some instances at less than they were being purchased for by ordinary consumers of printers' supplies; and that since July, 1896, contracts have been let, wherever possible, for the supplies of the State Printing Department. We are not advised as to what articles the Governor refers to particularly in his message, but the reports of the experts are sufficient to show that Mr Johnston has not abused his position in the purchase of supplies to the detriment of the State, in any particular.

Regarding the increase in the payroll of the last two weeks of October, in 1895, which the veto message suggests was an increase made in consideration of the city election in Sacramento being held immediately theretofore, we have to report that there is no evidence to sustain any charge of improper conduct on the part of the Superintendent of State Printing in this direction, but that the force employed by him at the times mentioned was necessary for the execution of the business of the State Printing Office then in hand

As to the charge that there were employés carried on the payroll from July 1 to July 18, 1896, who performed no duty and rendered no service during that time, the evidence shows that there were three assistant foremen and one foreman who were granted a vacation, or leave of absence, with pay, and that this was done for two reasons: One, that these employés had worked overtime during the preceding session of the Legislature, for which overtime they had never charged or received any pay; and that such overtime, had it been paid for, would more than offset the allowance made them during the vacation given them. Second, that it is customary in all printing establishments to allow the foremen therein a vacation of from ten days to two weeks each year. Your committee, therefore, exonerates Mr. Johnston from any blame in regard to this matter.

Regarding the employment of a printing expert, we find that Mr. Harrison was appointed, as stated in the veto message, and that the opinion of the Attorney-General was asked regarding the validity of his appointment, and what duties he should perform, and his opinion is given in his letter to the Governor of August 13, 1896, which correctly states the law regarding such matters And in this connection your committee draws attention to the fact that after the letter of August 13, 1896, to the Governor, there seems to have been no effort made in any manner to have the books or office of the State Printer experted or passed upon; and in this connection we deem it proper to state that nowhere during this entire period of time, embracing the years 1895, 1896, and down to the present time, does there appear upon the records of the State Board of Examiners any protest or objection to any of the accounts presented by the State Printing Department in any form; and we regret that the Governor should have deemed it his duty to withdraw his approval, and failed to note his dissent of any claims presented by the State Printing Department, as stated by him in his veto message. The law making it the duty of the State Board of Examiners to pass upon these, as well as many other claims, it is to be regretted that the Governor should not have acted by assenting or dissenting when those matters were being considered

It will also be remembered in this connection that it nowhere appears that Mr

Johnston was averse to having an expert examine his affairs. On the contrary, it appears that he was perfectly willing to have it done.

The statement appears in the veto message that the Superintendent of State Printing is required to make a yearly report in writing to the Governor, embracing a record of the complete transactions of his office for the preceding fiscal year, which shall show in detail all of the items of expense of the office, including repairs and purchases of materials of all kinds If this were literally complied with, the State Printer's report would be merely a publication of the transcript of his books, which would make a very voluminous document. He seems to have made his report for the forty-seventh and forty-eighth fiscal years in accordance with the custom that has always pertained in that office, and which pertains in other offices. For instance, he divides the expense up into certain heads, as for composition, night-force, press-room, miscellaneous, electro, engraving, and bindery. In other words, he gives the aggregate of the different items without giving the details of any of them, and this would seem a proper way to make the report, when you remember that the books containing the items upon which the report is based are subject to inspection at any time to get at any of the details which may be desired.

In the veto message it appears also that $51,293 84 is unaccounted for. After crediting Mr Johnston with repairs, which is undoubtedly a proper credit, the statement is then made that $39,294 96 remains to be accounted for. It appears from the testimony that a book called an order book is kept by the foreman of the State Printing Office, in which he enters the number of hours of composition and the value of the material used in connection with each particular piece of work. This is a book which is not required to be kept by law, but is really kept for the purpose of advising in a manner as to the cost of work done at the State Printing Office Of course, the office is charged annually with a certain amount of money Against this is charged the labor and material used, together with all of the incidental and other expenses of the office, and if these balance there can be no discrepancy, and the only thing that could possibly be called into account then would be the correctness of the various charges The thorough examination made by the experts, and the testimony of the witnesses, show that there is not and never has been any discrepancy, and that no difference exists between the charges and the credits in the office It seems that in this order book the composition is charged up to each piece of work, as before stated, as is the case with the material, and then a percentage is added, that being merely an estimate of what is sufficient to charge for other expenses in connection with the running of the office, such as the monthly salaries, salaries of foreman, engineer, and other employés, outside of the composing-room, press-room, and bindery. If this estimate be correct, the apparent discrepancy named in the Governor's veto message could not exist, and if the estimate be too low then a discrepancy would appear. On the other hand, if the estimate should be too high, then there would be a surplus to the credit of the office, which surplus would not and could not possibly exist Therefore, the discrepancy, for the same reason, could not possibly exist This is an arbitrary credit to the office, and is charged to each particular department, and is based entirely upon estimates. And here is where the difficulty arose which gave rise to the apparent discrepancy. An examination of the books would have shown very quickly that there was no discrepancy. In making up the report giving the condensation of all items, and in explaining why a discrepancy might arise, as before explained, arose the difficulty regarding this amount, and in this we are undoubtedly correct, for it has never been charged that any funds have ever been abstracted, or any dishonest practices indulged in, but it has been argued inferentially that too much has been paid for labor and too much for material. If this be true, it would not affect the result as to the figures in the books, and this apparent discrepancy vanishes also when we consider that from it should be deducted the credit of stock on hand, as appears from page 28 of the book, $15,698 48; miscellaneous employés, on page 22, about $7,500; monthly employés, on the same page, $6,200. Then, there is in the item charged up for composing, over $7,000, which was the pay of the foreman and assistant foremen, which does not enter into the computation as to the cost of any work done in the office, but only into the percentage above mentioned. Also, there is $1,300 for insurance, not entered up in the cost of work, and the cost of moving, and some repairs

In the veto message, printing was done for the Governor and charged in the account at $4,625 85, which it was stated was submitted to an expert employed by Mr. Barry, of the "Star," who made an estimate as to what it could be done for in San Francisco, and he reported that it could be done for less than one half Your committee requested Mr. Barry to appear before the committee, but he telegraphed that he knew nothing except what Mr. Taylor, a witness called before the committee, had told him, and that the expert who had made the computation for him was sick, so we were unable to get any information as to this estimate, or the manner and conditions under which it was revised, which we very much regret. Mr Taylor, to whom reference has been made, appeared before the committee and testified that he was foreman of the State Printing Office down to January, 1895, for several years, that he was discharged at that time, and knew nothing regarding the office, except from hearsay, since that time Therefore, his testimony, as given and reported, in which he made charges referred to in the Governor's veto message, was made entirely upon what he had heard, and what he claims to have acquired knowledge of while he was in the office, and therefore his testimony was of but little assistance to your committee

As to the statement that on June 10, 1895, the State Board of Education passed a resolution directing the Superintendent of State Printing to print no more copies of a

grammar until the further order of the board, that was fully explained by Mr. Black, Superintendent of Public Instruction, who stated that, when that order was issued, it was understood that the purchase of new grammars (a revised one being then in course of preparation) should not be obligatory upon pupils in our public schools until one year after the plates were completed and the grammars ready for delivery, and that time has not yet come, and will not come until the coming May, the grammar and its printing having commenced only in May, 1896, as he stated, and it was necessary for the Superintendent of State Printing to keep grammars on hand of that kind to supply any demand of that kind there might be for them. Consequently, when the order was made in June, 1895, there were over seven thousand on hand, which have all been disposed of, and that an edition of ten thousand has been since printed, and about one third of those have been disposed of, and orders are received from time to time for them In editions of ten thousand, it appears from the testimony, the expense of printing school-books is much reduced from the expense of printing a less number at one time, and the Superintendent of State Printing believed that the edition of ten thousand was required, and therefore printed them.

It also appears that there is a considerable saving to the State Printing Office monthly resulting from the putting in of the electrical plant and its maintenance; that perhaps a better contract could be made now than the one in existence, but the one in existence was a fair one at the time it was made, and is not the subject of legitimate criticism

Mr. Taylor, the witness before mentioned, testified that in his opinion 27 girls would be sufficient to do the work in the State bindery, even in the rushing times of the legislative printing. In this the experts do not at all agree with him, and the testimony all is that it requires a much larger number at such times, and the testimony also shows that the labor which has been and is now being employed in the State Printing Department is necessary, and that the wages are fair and reasonable. While it is true that the highest wages are paid at the State Printing Office, yet it is also true that none of the compositors are given steady employment, as an examination of the payroll has shown. For instance, on the second payday of January, 1897, 305 employés were upon the roll That is the number rendered necessary to do the legislative work. On the second payday of January, 1896, 127 employés were on the roll. And a further reference to the payroll shows the number of employés to vary from fifty to one hundred per cent, month by month. It has been estimated that the compositors cannot average to exceed $2 25 a day throughout the year. The lowest Union scale in Sacramento is $3 50 per day, and in San Francisco $3 per day. But at these rates the workmen generally have steady employment throughout the year. These rates are the minimum at which compositors can work, and first-class printers working on time generally obtain more than the above minimum rates.

Printing was so great, and the extravagant prices paid for the work were so marked, that even in those days when California was rich, the protest that arose against this method of doing the work was so emphatic that it was decided to depart from it forever Under the contract system the work passes to some favored contractor, who soon gets a monopoly of the business, and pays the laborers what he pleases, and the amount paid for State printing, instead of being disbursed among honest workingmen at a fair rate of wages, is paid to the contractor, who has his work done as he desires. A comparison of the prices paid for State printing under private contract, and that paid by the State Printing Office, shows that the former system is vastly more extravagant

The State Printing Office, as at present conducted, is run on Union principles, Union wages are paid, and there is no rich contractor to bleed the State by excessive profits. The Superintendent receives a salary for his services, and nothing else.

We think it would be a serious mistake for the State to depart from this system and enter once more upon the speculative period of printing by private contract

We find that there is practically no check upon the amount of work that may be ordered by the different departments of the State, and that the extravagance, if any there be in this office, is not caused by the State Printer, but is caused by the different officers and departments of the State ordering an excessive amount of printing, or having fancy printing done at a large cost.

We also find, from inspection of the proof-sheets, that frequently the changes and alterations made are so great that it costs more to make them than it did to set the manuscript originally. This is an evil that ought to be corrected, and in accordance with the recommendations contained in the experts' report, we recommend that hereafter all officers and institutions sending matter to the State Printer shall be required to place the same on paper of uniform size, and typewritten, and that they be not allowed to make changes after the transcript has left their hands.

We would respectfully call your attention to that portion of the report of the experts recommending the purchase of new type and additional machinery, and desire to say that we have given careful attention to this subject and join in their recommendations. We think a saving can be effected in this respect

The mechanical experts have, at the end of their report, suggested many recommendations by which a saving may be made These call for the purchase of new machinery, new type, change in boilers, and other matters, which are specifically described. These changes and recommendations meet with our approval.

In conclusion, we desire to say that we have been agreeably surprised in finding the system that prevails in this institution. It is larger than we or, we are satisfied, a majority of the people of the State realized. We find that Mr. Johnston, the Superintendent, is a practical printer of long experience, and thoroughly competent to handle

the institution under his charge He has under him a corps of efficient assistants, and a discipline prevails in the State Printing Office rarely to be found among public institutions. It is conducted in all respects as a first-class private institution would be.

There are sundry recommendations as to improvements that might be made in connection with the State Printing Office, but the shortness of time prevents the putting of any of them into legislative form In fact, most of the recommendations are such that the State Printer can avail himself of them without legislative action, and we dare say that he will do so, as they simply tend to the perfecting of the method of keeping the accounts, rather than as to their substance

The testimony taken has been very full, and much time has been devoted to this hearing. And, having given the whole subject careful consideration, we are of the opinion that the office of Superintendent of State Printing has been conducted on business principles, and with economy and due regard for the public interests.

The testimony taken, together with the reports of the experts, are herewith filed

JOHN H. DICKINSON.
J. N. GILLETTE
W. F. PRICE.
LEON DENNERY.

MINORITY REPORT

SACRAMENTO, March 20, 1897.

MR SPEAKER: The undersigned members of your committee heretofore appointed to investigate the charges made against the management of the State Printing Office in the veto message of the Governor, dated February 9th, last, cannot agree with the majority of the members of said committee, and beg leave to submit to you their findings in such investigation

After organization, it was proposed that the investigation be confined to the time since January 7, 1895 A motion to that effect having been made.

Mr. Caminetti offered the following substitute:

"WHEREAS, The Superintendent of State Printing has spent, for the support for the State Printing Office for the last six fiscal years, the sum of $858,096 85, as follows, viz.:

Forty-second fiscal year	$158,622 20
Forty-third fiscal year	99,634 78
Forty-fourth fiscal year	150,349 48
Forty-fifth fiscal year	137,119 67
Forty-sixth fiscal year	162,370 13
Forty-seventh fiscal year	146,000 59
Total	$854,096 85

"AND WHEREAS, It appears from the reports of the Superintendent of State Printing that the sum of $139,138 66 is not charged against the departments or the Legislature, and the reports do not show for whom the work was done, viz.:

Forty-second fiscal year	$22,207 55
Forty-fifth fiscal year	65,637 27
Forty-seventh fiscal year	51,293 84
Total	$139,138 66

"AND WHEREAS. During all of these years the books and accounts of the Superintendent of State Printing having never been experted, and in justice to the said Superintendent, and to the end that the whole matter be fully and fairly investigated, it is proper that all said books and accounts be experted; therefore,

"*Resolved*, That the experts of this committee be instructed to investigate the books and accounts from and including the forty-second fiscal year to the present time."

The substitute was lost by the following vote: Ayes—Seawell and Caminetti. Noes—Dickinson, Dennery, Gillette, and Price

We have taken the Governor's veto message, the facts recited therein, and the charges made, as the basis of our investigation Owing to the pressure of our legislative business, and the short time afforded us to devote to this inquiry, we have been unable to give it the thorough examination which its importance demands We have, however, been enabled, without any extensive examination, to verify the truth of nearly all of the charges made by the Governor in his message.

In reviewing the Governor's charges, we find that they consist of general charges, illustrated by special instances of extravagance, mismanagement, and violations of law, and that they all center around and culminate in the grave charge that the report of the State Printer made to him was imperfect, not in the form required by law, and that the extravagance and mismanagement practiced in that office was such that it required $146,000 to do $94,000 worth of work in the forty-seventh fiscal year This very serious charge we have made the subject of special investigation, and we find that the facts appear to support in every particular the Governor's statement. The State Printer's report submitted to the Governor shows that $146,000 59 was expended during the forty-seventh fiscal year, and that at the beginning of said year he had on hand $27,784 24 worth of stock, making a sum of $173,784 83 to be accounted for. The same report shows that, as offset to this expenditure,

$82,257 80 in "department printing" was done, and that at the end of the year he had on hand $15,698 48 worth of stock. To this should be added $4,558 20 for lithographing, and $7,890 75 for legislative printing. In accordance with his own system of bookkeeping, as practiced in the previous year, when his accounts balanced, no other credits should be allowed him; but allowing him an additional credit for "permanent material," $6,950 32, and "repairs, plumbing, fixtures, and improvements," $5,048 56, we still find that, by his own report, as stated by the Governor, he does not account for the expenditure of over $51,000 of his appropriation for the forty-seventh fiscal year. We have made every effort to account for this extraordinary deficiency, with the result that we have discovered that there is a total lack of system, or proper bookkeeping and ordinary business management in this office. As many as five efforts have been made by the Printing Office to account for this deficiency, and each explanation has been different, each has fallen short of accounting for it, and all have acknowledged and pleaded a serious violation of law in order to meet the case. The first statement bearing upon this question was in the written communication Mr. Johnston presented to the Board of Examiners, January —, 1897, asking the board to recommend to the Legislature an appropriation of $75,000 for the support of his office for the balance of the current year. (See testimony of John Markley, p 532.) He therein stated that the appropriation for the legislative printing of the thirty-first session fell short "nearly $28,000, which overdraft had to be carried to the appropriation of the forty-seventh and forty-eighth fiscal years." Later, a statement, purporting to come from the Printing Office, was published in the Bee of February 11, 1897. The figures here given are similar to the above in regard to the legislative item of $28,000, and adds to the items credited by the Governor (but for which credit was not claimed the year before) the additional item of insurance, $1,342 40, and for expenses in making a certain change in the bindery, the sum necessary to make a balance is charged.

When Mr Johnston was before our committee, he attempted an explanation of the $51,000 deficiency, which differed in important particulars from previous explanations, and very materially from his report, which he admitted was incorrect.

Later, Mr. Johnston's bookkeeper, Mr. Hadley, in testifying before our committee, made another effort to explain this deficiency, which had points of difference with any explanation previously offered. All of the preceding explanations were insufficient and unsatisfactory, and all either assumed or directly admitted that an indebtedness had been contracted and a deficiency incurred during the latter part of the forty-sixth fiscal year, in plain violation of law, and that such indebtedness, which the law says "shall be null and void" and shall "not be paid out of any appropriation," was carried over to the next fiscal year, and paid out of an appropriation specifically made for another purpose

For the purpose of having this question thoroughly settled and explained, your committee, by resolution, on March 15, 1897, instructed our financial experts to inquire into the matter, take the figures of the report of the Printer, to consider in that connection the message of the Governor, and to take and include the statements of the State Printer. From the reports of the experts under this resolution we find a fifth attempted explanation of the $51,000 deficiency, which has no advantage over previous ones, and concludes by finding, after adopting the Printer's figures, a balance of $21,105 54 still unaccounted for. The experts' report contains so complete a statement of the conditions existing in the Printing Office, and the manner in which its affairs are managed, that we submit a considerable portion of it with our report.

It recites:

"As given in the message of the Governor there is an apparent deficiency in the amounts tabulated in the official report of the State Printer. The State Printer, on being questioned as to this apparent deficiency, acknowledges that his report is incomplete and imperfect. He explains this incompleteness by saying that to offset the $146,000 59 disbursed during the forty-seventh fiscal year, he accounts in his printed report, as found on pages 28 and 29, for department printing, etc, to the amount of $94,706 75, which gives as a difference the amount as noted in the Governor's message of $51,293 84.

"The Superintendent of State Printing calls our attention to the column of disbursements on page 22, aggregating $146,000 59, and states that said table includes stock purchased and miscellaneous expenses, together with department printing, etc., but not given again in detail in his report as offsets. That is to say, to the sum of $94,706 75, the department printing given in detail, must be added miscellaneous disbursements for repairs, insurance, permanent material, salaries of foremen, monthly employés, miscellaneous employés, proofreader, copyholder, and changes during removal. Hereinafter we give these amounts tabulated. They are taken mainly from the table found on page 22, but for much of this data we had to depend upon oral information given us by the State Printer, through his chief clerk, E. S. Hadley.

"From the same source we are informed that the omitted portion of the State Printer's report can never be accurately shown under the present system, as allowances must be made for waste in stock and waste in time, such as the revision of bad manuscript, time lost in waiting, and the pay of permanent employés, like the General Foreman, who does not set type.

"Further, the State Printer informs us that his report should show miscellaneous disbursements, and the percentage of cost outside of actual printing prorated to each department of State ordering work. In future, he says, his repo. ts shall be made on this plan.

"Had tabulated statements containing those omitted parts been put in the State Printer's report in question of July, 1896, the discrepancies now apparent would not appear.

"The State Printer informs us further that much of the discrepancy unaccounted for is due to what he denotes 'undercharges.' As, for instance, 'changes in removal' is put down as $2,136 30, when in reality it is nearly $3,000; and, too, the charges for printing are put down at the actual cost of printing, regardless of the cost of light, water, fuel, etc.

"Concerning the resolution introduced by Senator Seawell, directing us to ascertain whether supplies were purchased during the forty-sixth fiscal year and paid for out of the appropriation of the forty-seventh fiscal year, we have to say that there is no way to obtain this information from the books examined by us, as we found and showed in our report, already submitted, that no bills appeared, unless dated in the fiscal year in which they were paid. Mr. Hadley, the chief clerk, informed us, however, that in the forty-sixth fiscal year, when it was found that the appropriation was about exhausted, bills in the neighborhood of $15,000 were incurred, and the firms furnishing them instructed not to present them until the next fiscal year, and that these bills were dated and paid in the forty-seventh fiscal year, though properly belonging in the forty-sixth fiscal year, as the goods were delivered and used in that year.

"We again call your attention to the suggestion made in our submitted report, that additional books should be kept by the State Printer in which accounts should be kept not now shown. And here we would especially suggest the keeping of a stock or merchandise account, showing receipts and disbursements under that head as clearly and definitely as under any other. In other words, it appears to us that the books of a great institution, such as the State Printing Department is, should be kept upon the plan of the books of a great mercantile firm.

"The tabulation referred to herein, showing items of disbursement given by the State Printer to explain the apparent deficiency, is as follows:

July 1, 1895, stock on hand, as per inventory	$27,784 24
Expended, forty-seventh fiscal year	146,000 59
(In this last amount is included stock purchased for the forty-seventh fiscal year of $25,910 08.)	
Total amount to be accounted for during forty-seventh fiscal year	$173,784 83

Contra.

Department printing, etc., pp. 28-29	$82,257 80
Lithographing, etc.	4,558 20
Legislative printing	7,890 75
General foreman, salary	2,340 00
Foreman's assistants (four)	7,488 00
Monthly employés	6,211 30
Miscellaneous employés	7,480 70
Permanent material	6,950 32
Repairs, plumbing, etc.	5.048 56
Insurance	1,342 40
Proofreader	1,872 00
Copyholder	1,404 00
Removal changes	2,136 30
Stock on hand as per inventory, July 1, 1896	15,698 48
Total	$152,679 31
Total amount to be accounted for during forty-seventh fiscal year	$173,784 83
Expended forty-seventh fiscal year	152,679 31
Balance to be accounted for January 1, 1897	$21,105 52

"The chief clerk has this to add further in explanation of this sum of $21,105 52, and we give the explanation in his own language and written by himself:

"'From the item of "composition," as given on page 22 of the report, after deducting $9,360 for salaries of general foreman, two assistant foremen, proofreader and copyholder, there remains the sum of $35,191 95, representing the sum actually charged against the several departments. Mr. Thorpe and Mr. Rogers both testify that this charge is one third too low, which undercharge would, on this basis, be $11,730. To this should be added the amount of bills unpaid in the forty-sixth year, and it is not possible to arrive at the exact sum, but I know it to exceed $10,000. This, added to the undercharge of $11,730, will equal $21,730. If this sum is too large or too small to make a correct balance, it is only because the undercharge is not absolutely correct, or the sum of unpaid bills is more or less than $10,000.'

"Under your instructions to us this is the best possible information obtainable from the State Printer and his office.

"Very respectfully submitted.

"L. WADHAM,
"J. C. RUDDOCK,
"Experts."

This report established the charges made by the Governor in his veto message, and shows an extraordinary condition of affairs in this office Mr. Johnston furnishes the Governor a report, which discloses the fact that more than $51,000 was expended for which no return is made nor any account given. Now, after repeated attempts at explanation, and after nearly two months' time, this great discrepancy has not and cannot be explained, and the experts report that, allowing Mr. Johnston all the credits he has advanced a plausible claim for, and after his last and corrected explanation, there still remains totally unaccounted for the sum of $21,105 52. The loose system of bookkeeping disclosed by this investigation is extraordinary, and in view of the very large sums annually expended by this office, is most dangerous. The accounts are in such condition that the State Printer himself cannot explain them, nor can his bookkeeper; and a stranger, seeking to verify his statements, has nothing upon which to rely. In his efforts to explain this very serious deficiency in his accounts, Mr. Johnston relies chiefly upon three grounds:

First, that in the charges for printing he has not included certain items of stock, monthly employés, and expenses of superintendence; another, that about $28,000 of the debts of the forty-sixth fiscal year were carried over and paid out of the appropriation for the forty-seventh and forty-eighth fiscal years; and a third, that the Board of Examiners passed upon all his claims, and consequently there are adequate checks upon his expenditures, and whatever discrepancies exist in his accounts were authorized by the board.

The first reason advanced does not appear tenable. No report heretofore made by the Superintendent of State Printing contains a setoff against the annual cost of running the printing department for the items of foremen, of salary of general foreman, office payroll, copyholders, etc. As a profit of from ten to twenty-three per cent is charged upon the work, it is quite evident that this charge is made to cover these very items of expense, and that an effort to add these charges now, when they had never been added before, is for the purpose of accounting for this present deficiency. As a fair example of reports made prior to Mr. Johnston's time, the following is a summary of the report made by J. D. Young, for the fortieth fiscal year:

Total amount expended from July 1, 1888, to June 30, 1889	$131,559 63
Amount of work done for departments	$126,247 89
Less excess of stock on hand	3,806 44
Less permanent material	1,505 30
	$131,559 63

It will be seen that these accounts balance, and no mention is made of wages of general foreman, etc

When it is recalled that the charges already made against items of printing are over thirty per cent higher than the same work could be done for at private establishments, it does not seem reasonable that any items of charge have been omitted.

The second cause advanced as having caused the discrepancy, is that about $28,000 of the debts of the forty-sixth fiscal year were carried over and paid in the forty-seventh If this were done, and it has been repeatedly stated and admitted, it was done in direct violation of law. The law expressly provides that no officer shall incur any indebtedness in excess of the appropriation made for the support of his office, without first having obtained the consent of the Governor, Attorney-General, and Secretary of State; and it further provides that any indebtedness attempted to be created in violation of this law shall be null and void, and shall not be paid out of any appropriation. Mr. Johnston violated this law directly, and in order to have his bills allowed by the Board of Examiners and paid by the Controller, he must have misdated his claims, and sworn that they were incurred at a time and under conditions which were not correct. Too much importance cannot be attached to this fact. It shows a violation of law, an affidavit which misled the Board of Examiners and the State Controller, and a misapplication of a specific appropriation.

The third cause pleaded in extenuation of the deficiency is, that whatever condition attended the financial management of this office was sanctioned by the Board of Examiners This plea calls attention to the absolute absence of any restrictions, safeguards, or checks upon the expenditure of the very large appropriation made for the support of this office. The State Printing Office handles over $200,000 annually, and there are less checks upon the expenditure of this great sum than there are upon almost any other item of State expenditure, no matter how trifling. In other State institutions which are managed by boards or commissions, the purchase of supplies and expenditure of money is generally required to be done under contract. This is one check. There is generally employed a commissary, who receipts for and inspects supplies or materials delivered This is another check. For the management of such institutions there is in most cases a local board or directory, which passes upon and audits all claims made for the support of that institution. This is an additional check, which is sometimes fortified by a separate audit by a finance committee of said board or directory. Thereafter such accounts, after these numerous inspections, are transmitted to the State Board of Examiners, who have in their possession a copy of any contract under which the money is expended, who finally pass upon and audit the claims In the matter of the State Printing Office none of these checks exist The State Board of Examiners have absolutely no information at their command for determining whether

the goods were received, and, as he keeps no "stock book" this question cannot easily be determined, or whether the labor has been actually performed, or whether improvements have been made, or whether the prices charged are reasonable. The Superintendent makes an affidavit to the claims which he presents, and if the affidavit is in form as required by law, the board are controlled by it, and unless information is received from some unusual source, they have no means of determining the truth or falsity of his claims, but must let them go as presented. To show how easily they might be misled in this matter, we instance the case mentioned by the Governor, where a payroll was presented for the time from July 1 to July 18, 1896, to which was attached the usual affidavit that the work had been done and the labor performed at the time therein mentioned. It transpired that during a large part of such time the State Printing Office had been closed, and the work was not done as stated in the payroll.

Again, the State Printer, in accounting for the $51,000 shortage for the forty-seventh fiscal year, stated that $28,000 of that amount was for claims and indebtedness carried over from the forty-sixth fiscal year. If this fact had appeared in the payrolls and claims presented to the Board of Examiners they would not have been allowed, and the fact remains that they were misled in this matter, and had no means at their command of discovering the truth of these claims as presented. The fact remains that the discrepancy pointed out by the Governor remains unexplained and unaccounted for. The matter is of so serious a nature that we refrain from comment, other than to state that prompt and radical measures should be taken to prevent such an occurrence in the future, and to correct the defective conditions under which it became possible

Another serious charge made by the Governor was that the State Board of Education had, at a certain time, made an order directing the Superintendent of State Printing to print no more copies of a certain grammar of the State series of school textbooks. We find that this was an order which was within the powers of the State Board of Education, and the authority conferred upon them by the Constitution and by law. In violation of this order the Superintendent printed about ten thousand copies of this grammar; and that the work was unnecessary is shown by the fact that he now has on hand about seven thousand copies, which will in all probability never be used.

The Governor's charge, that the contract entered into by the Superintendent for the purchase of electric power was an unbusiness-like and extravagant one, is fully justified by the evidence we have taken We find that the State Printer, without consulting with or obtaining the consent of the State Board of Examiners, entered into a contract with an electric power company for fifty horse-power, for which he was to pay $23C per month. Since he has been receiving this electric power, he has continued to use steam for various purposes around the building No meter is used in connection with this electric power, and no means exist for ascertaining whether the power paid for is actually received. What power is received is not economically utilized, and if it were it is more than sufficient to run all the machinery in the State Printing Office.

It appears that, by a proper system, the presses may be made to do more work, which would result in the employment of a less number of men, and great saving to the State. The Governor charges that the office has been extravagantly conducted, especially in the employment of help. There is a great amount of evidence to support this charge. The printing experts find that the system under which help is employed is wasteful, and incompetent persons are employed to perform work for which they are unqualified, and the result is an excessive number of persons to do the work. There are great fluctuations in the payroll at different seasons of the year, and between the same time of different years, and no satisfactory explanation is given of this variation. We cannot find any satisfactory evidence that at the times when the most persons were employed the work had correspondingly increased; and we also find that at the time when by law the greatest amount of work is required to be done, the rolls were not as full as at times when less work was required to be done. And it is a fact, though it may only be a coincidence, that the times of largest rolls and greatest employment correspond closely with the holding of political conventions and primaries, and with elections. For example: For the month of May, 1895, an average of 142 persons were employed, while in May, 1896, about the time of the holding of the Republican State Convention, the average number was 204; in June, 1895, an average of 102 persons were employed, and in June, 1896, shortly after the Republican Convention, 204, or exactly twice as many persons were employed; again, in October, 1895, just before the Sacramento city election, 232 persons were employed, while in the following December, the number had fallen to 170 In the months of October and November, 1896, just before and succeeding the last general election, the average number of employés was 242 and 253, respectively. In the December following, the number had fallen to 196.

The system of accounts in this office is unsatisfactory and imperfect. The best evidence of this fact is the inability of the Superintendent, or his bookkeeper, to account for the great discrepancy of $51,000 between the amount expended for work and the value of the work performed during the forty-seventh fiscal year. The financial experts find that there is only one time-book kept at the office, while there are two separate and distinct classes of employment there. The law provided that the State school text-books shall be sold at cost; the time of the persons employed in the printing of these books is kept in the same book with the time of persons employed in the general department, and no means exist of determining for what time and how many persons are employed upon the printing of such books. This being so, how can the cost of hese books be determined?

The experts further report that no account is kept with the revolving fund, and no

account is kept with the different appropriations. The printing experts further testify that no stock-book is kept. This is a very serious omission, and an omission which makes it a difficult, if not impossible, matter to tell what amount of stock is on hand

We further find, as charged by the Governor, that the printing in this State costs very much more than in other States, and there is not given any sufficient reason why this should be so. The printing experts find that it costs from thirty to forty per cent more to do the printing for the State at the State Printing Office than the same work could be done for in a private establishment. This shows very gross extravagance or mismanagement.

To summarize our conclusions: We find such extravagance and unbusiness-like practices in the Printing Office that, in the forty-seventh fiscal year, $146,000 was spent to do $94,000 worth of work.

We find that about $20,000 worth of supplies were purchased and delivered in the forty-sixth fiscal year, but in violation of law these bills were dated, sworn to, and presented to the Board of Examiners in the forty-seventh fiscal year The Superintendent of State Printing thus creating a deficiency in the forty-sixth fiscal year without the consent of the Board of Examiners, and thus causing said bills to be paid in the forty-seventh fiscal year.

We find that only one time-book is kept for both the school text-book department and the printing department; therefore, it is impossible to tell, from the books kept in the office, the cost of the school books; that no accounts are kept regarding the school book fund, or of the annual appropriations, and further, that no stock-book is kept.

We find that the reports made by the Superintendent of State Printing to the Governor are not itemized, as required by law; and are inaccurate and misleading.

We find that in passing upon the claims of the State Printer the State Board of Examiners are controlled almost absolutely by the affidavits of the Superintendent of State Printing, as is evidenced by the fact that the board approved claims in the forty-seventh fiscal year for the forty-sixth fiscal year, upon said affidavits.

We find that the Superintendent of State Printing printed ten thousand grammars of an old edition, in violation of the order of the State Board of Education.

We find that, without the consent of the State Board of Examiners, the power in the building was changed from steam to electricity, the Printer contracting to pay $230 per month for fifty horse-power; that the electricity delivered is not measured, and although the amount paid for is ample to run all the machinery, part of the machinery is still run by steam at great cost.

We find that a great deal of inexperienced help is employed to perform services of a technical or experienced character, and that a considerable loss results to the State from this cause.

We find that the printing experts report as necessary a number of business reforms, and reforms of management, and report that if the affairs of the office were reduced to a business system a saving of from $15,000 to $20,000 would result to the State.

We find that the financial experts recommend, and we concur in their recommendation, that the Printer keep an "appropriation account," so that the condition of his finances can be determined, and that the payment of claims of one year out of the appropriation for another be avoided.

The experts recommend, and we join with them, that two "time-books" should be kept instead of one, so that the school-book fund can be kept separate and not be used for other purposes

We also recommend such legislation as will correct the abuses above set forth, and also emphatically recommend that, in view of the evidence in this case, and in accordance with the most elementary business principles, some checks be placed upon the great appropriations made for the support of the Printing Office, and that additional safeguards be thrown around it.

Immediate legislation should be enacted to provide a board of auditors to investigate and report upon Printing Office claims before they are reported to the Board of Examiners, or the latter board should be authorized to employ a printing expert, with full power to make all examinations necessary to enable them to pass upon such claims presented to them, with full knowledge of their character.

We further recommend that the Board of Capitol Commissioners, who, under the law, have charge of the building in which the printing department is located, take immediate action to make the mechanical improvements and business arrangements necessary to inaugurate the reforms recommended by the printing experts

In relation to the State Printing Office, we desire to say that we favor the continuance of the office under the present laws, with such amendments as experience dictates to be necessary to secure an economical administration of the affairs thereof, and the introduction of the reforms hereinbefore suggested, and contained in the report of the experts. We favor laws requiring that all supplies shall be purchased under contracts, and that all labor shall be performed under the day system. The day system we believe to be absolutely necessary, as the prices paid have a tendency to keep up wages outside of the State Printing Office, as against the downward tendency caused by the introduction of typesetting machines in private offices.

We feel that, as this office publishes the State school text-books, every precaution should be exercised to secure the printing thereof at the lowest possible cost, so that the patrons of our schools may receive the benefits intended to be conferred by the law. We believe this investigation has not been in vain, and that beneficial results will follow it—not only to the State, but to the printing fraternity generally. Our purpose has not

been to establish personal dishonesty in the State Printer, but to investigate the business management of the office, and the irregularities found are sufficiently accounted for in the loose management and the extravagant methods mentioned above. We have desired to benefit the service, and reform the practices that prevent the State Printing Office from giving to the people, especially in the publication of school books, the greatest possible advantage compatible with the proper execution of the work intrusted to it.

CAMINETTI.
SEAWELL.

MOTIONS.

Mr. Price moved that the reports be printed in the Journal, and the evidence in the Appendix to the Journal.

So ordered.

Mr. Price moved that the report of the majority of the committee to investigate the office of the State Printer be adopted.

Mr. Caminetti moved to amend by substituting the minority report in place of the majority.

Amendment lost.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Price, Valentine, and Dibble.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the motion of Mr. Price to adopt the majority report.

The roll was called and the majority report adopted by the following vote:

AYES—Messrs. Arnerich, Belshaw, Bettman, Breiling, Burnham, Canavan, Chynoweth, Clarke, Cross, Cutter, Damon, Dennery, Dibble, Ennis, Goff, Harris, Henry, Hill, Hudson, Jones, Keables, Landsborough, Leavitt, Lindenberger, Malcolm, McGrath, North of Alameda, North of Yolo, Pohlmann, Power of Placer, Price, Robinson, Sims, Soward, Stansell, Strain, Valentine, Vosburg, Wright, and Mr Speaker—40

NOES—Messrs. Burnett, Caminetti, Elliott, Houghton, Keegan, Lacy, Mahoney, Ryan, Shanahan, Toland, and Treacy—11

RESOLUTION.

By Mr. Landsborough:

WHEREAS, The name of E. A. Morse, Assistant Clerk, was omitted by accident from the report of this committee which was adopted this day; therefore, be it

Resolved, That E. A. Morse be and is hereby added to the said report for clerical work for three days at regular per diem, and the Controller is hereby authorized to draw his warrant in favor of said E. A. Morse, and the Treasurer is hereby directed to pay the same.

Adopted.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS AND EMPLOYÉS—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1897

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

Resolved, That G. H. Smith be and he hereby is appointed Porter to the rear gallery, at a per diem of $4, the same to be paid out of the Contingent Fund of the Assembly, and to commence and include the 6th day of March, and continue until the end of the thirty-second session.

Also the following resolution by Mr. Pohlmann:

Resolved, That L. C. Robinson be paid $4 per diem, as Watchman of the Assembly Chamber from March 7, 1897, until the close of the session, and the Controller be and he is hereby ordered to draw his warrant for the amount due, and the Treasurer is directed to pay the same.

Respectfully report the same back, and recommend their adoption.

LANDSBOROUGH,
KEEGAN,
Minority of committee.

Mr. North, of Alameda, moved to lay the report of the Committee on Attachés and Employés, in reference to G. H. Smith and L. C. Robinson, on the table.

So ordered.

RESOLUTION.

By Mr. Ennis:

WHEREAS, The "San Francisco Examiner" has made certain charges and insinuations against John W. Power in connection with the alleged bribery connected with the "Coyote-Claim Bill"; and

WHEREAS, Mr. Power had a resolution adopted giving full power to the committee appointed to thoroughly investigate the alleged charges; and

WHEREAS, The committee has reported that it has found nothing to in any manner connect Mr. John W. Power with the "Examiner" charges; therefore, be it

Resolved, That the Assembly of the State of California believe Mr. John W. Power to be innocent of said charges.

Mr. Emmons moved that the resolution be adopted.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 20, 1897

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 986.

JAMES H. BUDD, Governor

RESOLUTIONS.

By Mr. Price:

Resolved, That the Assembly, upon its adjournment *sine die*, takes great pleasure in presenting to our Speaker, Frank L. Coombs, the block and gavel with which he has so courteously and impartially controlled the actions of this body, and with this small gift we also extend to him our sincere and unanimous thanks for the manner in which he has treated each and every member of the Assembly during the trying hours of the thirty-second session of the Assembly of the California Legislature.

Unanimously adopted by a rising vote.

By Mr. Cutter:

Resolved, That A. A. Friedlander be and he is hereby appointed Assistant Engrossing Clerk, to date from March 6th, at the same per diem as the other Engrossing Clerks, and payable out of the Contingent Fund of the Assembly.

Mr. North, of Alameda, moved to lay the resolution on the table.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 20, 1897.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 20th day of March, 1897, refused to adopt the following: Assembly Constitutional Amendment No. 19—To amend Section 12 of Article XIII, by providing that persons voting at a general election shall be exempt from the payment of poll tax.

F. J. BRANDON, Secretary.
By G. W. MCINTYRE, Assistant.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1897.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 990—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes.

Also: Assembly Joint Resolution No. 27—Relative to the punishment of seamen for leaving a vessel before the expiration of the term of service agreed upon.

Also: Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution, in relation to sessions of the Legislature.

Also: Assembly Bill No. 989—An Act making an appropriation to pay the printing expenses of the thirty-second session of the Legislature.

Also: Assembly Bill No. 948—An Act for the relief on John Mullan, and to appropriate money therefor.

Also: Assembly Bill No 262—An Act making an appropriation to pay the claim of George E Lawrence, for services rendered the State of California at the funeral of the late Lieutenant-Governor Millard.

Also: Assembly Bill No. 535—An Act making an appropriation to pay the deficiency in the appropriation for office rent of the Attorney-General in San Francisco, for the forty-eighth fiscal year.

Also: Assembly Bill No. 237—An Act making an appropriation to pay the claim of W. J. Deater, for publishing notice and summons in foreclosing interest of delinquent purchasers of State school lands.

Also: Assembly Bill No 236—An Act making an appropriation to pay the deficiency in the appropriation for traveling expenses of the Board of Railroad Commissioners.

Also: Assembly Bill No 209—An Act making an appropriation to pay the claim of R. S. Broughton, for transportation of prisoners.

Also: Assembly Bill No 211—An Act making an appropriation to pay the deficiency in the appropriation for pay of salaries of agents or assistants, for traveling expenses, and for other contingent expenses of the Bureau of Labor Statistics, as authorized by Statutes of 1889, page 7.

Also: Assembly Bill No. 238—An Act making an appropriation to pay the claim of George A. Sturtevant, for costs of suits in foreclosing delinquent purchasers of State school lands.

Also: Assembly Bill No. 226—An Act making an appropriation to pay the claim of William Macdonald, for expenses incurred in the funeral of Governor Jones, of Nevada.

Also: Assembly Bill No. 402—An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized.

Also: Assembly Bill No. 534—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-seventh fiscal year.

Also: Assembly Bill No. 981—An Act for the establishment of a uniform system of road government and administration in the counties of the State of California

Also: Assembly Constitutional Amendment No. 36—Proposition to amend Section 15 and Section 16 of Article V of the Constitution of the State of California.

Also: Assembly Constitutional Amendment No 37—To propose to the people of the State of California an amendment to the Constitution of the State, amending Article XI, by adding a new section thereto, to be known as Section 5½, relating to consolidated city and county governments.

Also: Assembly Constitutional Amendment No. 38—Proposed amendment to Section 6, Article IX, of the Constitution, relative to grammar schools

Also: Assembly Joint Resolution No. 7—Relative to the opening of a ship channel between San Francisco and Antioch.

Also: Assembly Joint Resolution No. 33—Relative to instructing our Representatives in Congress towards securing an appropriation for improving navigation in State waterways and providing for the disposition of debris.

Also: Assembly Bill No. 410—An Act to provide for the payment of claims against the State of California, arising under an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and making an appropriation therefor.

And presented the same to the Governor on this day, at eleven o'clock and fifty-five minutes A. M.

FONTANA, Chairman.

RESOLUTION.

By Mr. Jones:

Resolved, That W. H Reckard and John F. Sheehan, Jr., be and they are hereby appointed assistant clerks at the desk at a per diem of $8, their appointments to take effect from January 11, 1897, until March 6, 1897, and the Controller is hereby directed to draw his warrants upon the Contingent Fund of the Assembly for $165 for the said W H. Reckard, and $165 for the said John F. Sheehan, Jr., for the unpaid portion of their respective per diems, and the Treasurer is hereby authorized to pay the same

Mr. Melick moved that the resolution offered by Mr. Jones be laid on the table.

So ordered.

CORRECTIONS OF JOURNAL.

Mr. Goff moved to correct the Journal of Thursday, February 18, 1897, page 20, so as to show that he gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 827 was passed.

Also: To correct the Journal of February 19, 1897, page 11, after line 8, so as to show that he did move to reconsider the vote whereby Assembly Bill No. 827 was passed, and that said motion was lost.

RESOLUTION.

By Mr. Melick:

Resolved, That the Chief Clerk of the Assembly be directed to return to the Western Union Telegraph Company the telegrams gotten from them, and now in the possession of this Assembly.

Adopted.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 20, 1897.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No 984.

JAMES H. BUDD, Governor.

RESOLUTIONS.

By Mr. Price:

Resolved, 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.

Adopted.

The Speaker appointed Messrs. Price, Toland, and Cross, as a committee to wait upon the Senate, as per resolution of Mr. Price.

By Mr. North, of Alameda:

Resolved, That a committee of three be appointed by the Speaker, to act with a like committee from the Senate, to wait upon the Governor and ask if there be any message which the Executive desires to communicate to the Assembly

Adopted.

The Speaker appointed Messrs. North, of Alameda, Caminetti, and Harris, as such committee to wait upon the Governor.

REPORT OF COMMITTEE.

The committee, consisting of Messrs. Price, Cross, and Toland, appeared at the bar of the Assembly and reported that they had waited upon the Senate; that the Senate would appoint a committee to confer with the Assembly and notify them of the desires of the Senate.

COMMITTEE FROM THE SENATE.

A committee from the Senate, consisting of Senators Gleaves, Trout, and Seawell, appeared at the bar of the Assembly with the information that the Senate was ready to adjourn.

REPORT OF COMMITTEE.

The committee consisting of Messrs. North, of Alameda, Harris, and Caminetti, reported that they had waited upon the Governor, and that he had no further communication to make to the Assembly.

READING OF THE JOURNAL.

Pending the reading of the Journal of to-day, Mr. Leavitt moved that the further reading be dispensed with.

So ordered.

APPROVAL OF JOURNAL.

The Journal of Saturday was approved, as corrected.

PRAYER.

Prayer by the Chaplain, Rev. Charles F. Oehler.

ADJOURNMENT SINE DIE.

At twelve o'clock M. the Speaker delivered a valedictory, at the conclusion of which he declared the Assembly adjourned *sine die*.

F. L. COOMBS,
Speaker.

S. J. DUCKWORTH,
Chief Clerk.
R. Q. WICKHAM,
Minute Clerk.
E. S. GRIDLEY,
Journal Clerk.